

Hainer bill for amending the postal laws—to the Committee on the Post-Office and Post-Roads.

By Mr. SCHERMERHORN: Petition of 30 agriculturists of the State of Maine, asking for the regulation by law of the sale of oleomargarine—to the Committee on Ways and Means.

Also, a petition and resolution of 6,000 citizens and wage-earners, of Amsterdam, N. Y., employed in the manufacture of carpets, knitted goods, steel springs, brooms, paper, and paper boxes, protesting against the passage by Congress of the Wilson bill—to the Committee on Ways and Means.

By Mr. SHERMAN: Petition of 1,000 men of Little Falls, N. Y., against the passage of the Wilson bill—to the Committee on Ways and Means.

By Mr. SPRINGER: Memorial of William H. Condon, proctor in admiralty, Chicago, Ill., praying the passage of a bill to allow an additional circuit and district judge for the northern district of Illinois—to the Committee on the Judiciary.

By Mr. WILLIAM A. STONE: Petition of Washington Camp, No. 345, Pennsylvania Patriotic Order Sons of America, of Germantown, Philadelphia, Pa., for the passage of bill introduced by William A. Stone for restriction of immigration—to the Committee on the Judiciary.

By Mr. TATE: Petition in behalf of the passage of House bill 3183, for the punishment of train wrecking—to the Committee on the Judiciary.

By Mr. TERKY: Petition of citizens of Sacramento, Cal., for the enactment of House bill No. 4737, to create the office of foreman of presswork, etc., in the United States Government Printing Office at Washington, D. C.—to the Committee on Printing.

By Mr. WHITE: Petition of L. B. Strong and 134 others, citizens of Cleveland, Ohio, against the passage of the Wilson tariff bill—to the Committee on Ways and Means.

Also, petition of B. F. Briggs and 103 others, of Cleveland, Ohio, against the passage of the Wilson tariff bill—to the Committee on Ways and Means.

By Mr. WILSON of Ohio: Petition of W. F. McCormick and 39 others, of Madison and Fayette counties, Ohio, against the passage of the Wilson tariff bill—to the Committee on Ways and Means.

By Mr. WILSON of West Virginia: Petition of D. C. Westenhaver and 300 other citizens of Berkeley County, W. Va., in favor of the prompt passage of the Wilson bill, and especially in favor of putting raw material on the free list—to the Committee on Ways and Means.

Also, resolution instructing the Committee on Appropriations to report an item on the sundry civil bill for the purchase of the Lincoln Memorial House, in the city of Washington, D. C.—to the Committee on Public Buildings and Grounds.

By Mr. WISE: Two petitions of citizens of Richmond, Va., that the journals of fraternal societies and colleges be admitted to the mails as second-class matter—to the Committee on the Post-Office and Post-Roads.

## SENATE.

MONDAY, January 29, 1894.

Prayer by Rev. HUGH JOHNSTON, D. D., of the city of Washington.

The Journal of the proceedings of Friday last was read and approved.

### ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolutions, and they were thereupon signed by the Vice-President:

A bill (H. R. 356) to authorize the Secretary of the Interior to reserve from sale certain land in the abandoned Fort Cummings military reservation, and for other purposes;

A bill (H. R. 3689) authorizing the Gulf, Beaumont and Kansas City Railroad Company to bridge the Neches and Sabine Rivers, in the States of Texas and Louisiana; and

A joint resolution (S. R. 55) providing for the erection of fire escapes and bridges at the Government Printing Office, and fire escapes at the Maltby Building.

### COLUMBIA INSTITUTION FOR DEAF AND DUMB.

The VICE-PRESIDENT appointed Mr. VILAS director on the part of the Senate of the Columbia Institution for the Instruction of the Deaf and Dumb to fill the vacancy occasioned by the resignation of E. C. Walthall as a Senator from the State of Mississippi.

### EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting an agree-

ment with the Nez Perce tribe of Indians in Idaho, together with the report of the commission appointed to negotiate with those Indians, and a draft of a bill to confirm and ratify the agreement, and to carry the same into effect; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting a communication from the Commissioner of Indian Affairs, together with a schedule giving the names of the settlers upon the Crow Creek and Winnebago Reservation, in South Dakota; and the amount of damages sustained by them between February 27, 1885, and April 17, 1885; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

### PETITIONS AND MEMORIALS.

Mr. BERRY. I present resolutions adopted by the city council of Fort Smith, Ark., in favor of the construction of a bridge across the Arkansas River at Van Buren in that State, for the purpose of affording transportation for what is known as the Fort Smith and Van Buren Electric Railway. I move that the resolution be referred to the Committee on Commerce.

The motion was agreed to.

Mr. DOLPH. I voice some protests this morning against the passage of the so-called Wilson tariff bill. I hold in my hand a communication to the Congress of the United States, signed by 13 operatives in the Portland (Oregon) Rope and Binder Twine Manufactory. All the persons who sign this memorial are employees and they are all the employees in the establishment. The memorialists say:

We, the undersigned wage-earners employed in the manufacture of rope and binder-twine at Portland, Oregon, respectfully wish to protest against the proposed reduction of the tariff on manila and sisal rope from 1½ cents per pound to 10 per cent ad valorem, and also against the removal of the entire duty from binder-twine.

Capital is independent, and if profits are not satisfactory under the proposed tariff the first thing that rope manufacturers will do (as many have already done, in anticipation of the change) will be to reduce our wages, which will be but a natural result, as they must meet the competition of foreign cordage manufacturers who pay fully 50 per cent less wages than are paid here, and who use improved machinery equal to that in use in the factories of this country. We know this, many of us having worked in foreign factories—

Mr. VEST. Mr. President, I rise to a point of order.

The VICE-PRESIDENT. The Senator from Missouri will state his point of order.

Mr. VEST. The rules require that a succinct statement of a petition, if any, shall be made. The Senator from Oregon is now proceeding to read the memorial he presents. I hold in my hand petitions on various subjects here, and I could indulge in the same practice.

Mr. DOLPH. I can not make a more succinct statement than I am doing. The memorial is only one page long, and what I am reading is a very small portion of it.

Mr. VEST. The Senator is proceeding to read an argument against the tariff bill.

The VICE-PRESIDENT. The Secretary will read the rule bearing upon this point.

The Secretary read clause 4 of Rule VII, as follows:

Every petition or memorial shall be signed by the petitioner or memorialist and have indorsed thereon a brief statement of its contents and shall be presented and referred without debate.

Mr. DOLPH. I will conform myself to that rule. I am not making any debate. I was simply stating the substance of the memorial.

Mr. VEST. I understand the Senator to be reading the memorial. The rules require that there shall be a brief statement of the petition or memorial, showing generally its contents. If the Senator can read the memorial he presents I can read all I have here, and the rule would be nullified.

Mr. DOLPH. I do not know that there has been any rule prescribing what a brief statement is.

Mr. VEST. I make the point that we may have a distinct understanding. I shall proceed to read on the other side if this practice is to go on.

Mr. DOLPH. We shall all have time before we get through with the tariff bill to make arguments and to read papers.

Mr. VEST. That is possible.

Mr. DOLPH. There is no question about that. However, I do not wish to violate the rule. I supposed that I could read a few extracts from this statement, which, as I said, is only a page long, without violating the rule. It has often been done here.

Mr. VEST. It is a violation of the rule, in my judgment.

The VICE-PRESIDENT. The Chair hopes the Senator from Oregon will comply with the rule which has been read.

Mr. DOLPH. That is what I propose to do.

The VICE-PRESIDENT. The rule requires that a brief statement of the contents shall be made.

Mr. DOLPH. But I am not going to accept the judgment of the Senator from Missouri as to what the rule means. There is



where the trouble comes in. I propose to exercise my own judgment.

Mr. VEST. Then I ask for a ruling by the Chair as to whether the Senator from Oregon can read the memorial.

The VICE-PRESIDENT. The Chair thinks that under the rule the memorial can be read only by unanimous consent. Does the Senator from Oregon ask unanimous consent?

Mr. DOLPH. I was not proposing to read the entire memorial. As I said, the memorial comes from the operatives, and all the operatives in this establishment. In it they voice their objections to the tariff bill and show that if the material for making rope and binding-twine be put on the free list or the duty reduced, it will affect their wages. The memorial is supplemented by a letter which states the matter more at length; and I shall find time to read the letter in the Senate one of these days, before we get through with the tariff discussion.

Mr. VEST. I have no objection to that.

The VICE-PRESIDENT. The memorial will be referred to the Committee on Finance.

Mr. DOLPH. I also present resolutions adopted by the North Pacific Sheep-Breeders and Woolgrowers' Association, at a meeting recently held in Salem, Oreg., in which they call attention to the effect of the removal of the duty upon wool and the admission of free wool would have upon that industry, and ask Congress not to pass any bill which will destroy the industry. This communication comes from a very important association of people, embracing several States, and I ask that it be printed as a document, and referred to the Committee on Finance.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

Mr. VEST presented a memorial of Local Assembly, No. 10051, of Rolla, Mo., remonstrating against the issuance by the Government of interest-bearing bonds; which was referred to the Committee on Finance.

He also presented the petition of Richard F. Mohr and other citizens of Hardin, Mo., praying for the passage of the Mander-Hainer bill, providing an amendment of the postal laws; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the memorial of John Dryden and other citizens of St. Francois County, Mo., remonstrating against the passage of the clause of the Wilson tariff bill relating to the duty on lead ore; which was referred to the Committee on Finance.

Mr. LODGE presented a memorial of Lodge No. 127, Patrons of Husbandry, of Amesbury, Mass., remonstrating against the passage of the Wilson tariff bill; which was referred to the Committee on Finance.

He also presented petitions of George O. Proctor and 12 other citizens, and of Washington Council, No. 9, Home Council, of Somerville, all in the State of Massachusetts, praying for the enactment of more favorable postal laws in the interest of fraternal societies and college journals; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Prof. Harrison Allen, director of the Wistar Institute of Anatomy and Biology of the University of Pennsylvania; of B. P. Ramond, president, and 19 other members of the faculty of Wesleyan University, Middletown, Conn.; of Rev. A. W. Hazen and 9 other citizens of Middletown, Conn.; and of Prof. Harris H. Wilder and 12 other members of the faculty of Smith College, Northampton, Mass., praying for the removal of all duties upon scientific and philosophical apparatus whose chief use is for instruction or research; which were referred to the Committee on Finance.

Mr. QUAY presented memorials of John McDermott, Samuel H. Davis, George Hackett, and 663 other American workmen of McKean County, Pa.; and of Wayne Patterson, C. Fox, J. H. Burr, and 59 other citizens of Saigertown, Pa., remonstrating against the passage of the Wilson tariff bill; which were referred to the Committee on Finance.

He also presented the petition of Elwood T. Keener and other cigar manufacturers of Harrisburg, Pa., praying for the imposition of a uniform duty of 35 per cent on unstemmed leaf tobacco; which was referred to the Committee on Finance.

He also presented the memorial of W. P. James, J. W. Stewart, John Stilz and 96 other merchant tailors of Philadelphia, Pa., members of the Merchant Tailors' Exchange of the United States, remonstrating against the passage of the Wilson tariff bill, and particularly against any change being made in the duty on clothing; which was referred to the Committee on Finance.

He also presented memorials of J. M. Miller and 130 other citizens of Pittsburgh; of James Blythe and 14 others, citizens of Pennsylvania; of John Baker and 22 other citizens of Pittsburgh, and of Union No. 48, of Tarentum, all in the State of Pennsylvania, remonstrating against a reduction of the duty on green

and flint glass bottles; which were referred to the Committee on Finance.

He also presented a petition of the Trades' League of Philadelphia, Pa., praying that a direct appropriation be made for the ten larger post-offices as recommended by the Postmaster-General; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of James E. Watterson and 77 other citizens of Kittanning; of William M. Geesaman and 40 other citizens of Shippensburg; of John T. Reed and 14 other citizens of Lancaster; of J. M. Landis and 32 other citizens of Philadelphia; of Council No. 251, Royal Arcanum, of Kittanning, and of M. R. Allen and 439 other citizens of Washington, all in the State of Pennsylvania, praying for the passage of the Mander-Hainer bill providing an amendment of the postal laws; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. WOLCOTT. I present a memorial of the General Assembly of the State of Colorado. While I understand that the proper course of business requires that a petition or memorial shall be presented without comment, for reference to the appropriate committee, I trust I may have unanimous consent to call the attention of the Senate to this memorial, inasmuch as it differs from any other which may be presented and pertains particularly to the Commonwealth which my colleague and I represent.

Mr. MITCHELL of Oregon. I do not think the rule applies to memorials from State Legislatures.

Mr. HOAR. It does not apply to them.

Mr. DOLPH. The memorial of a State Legislature may be read.

Mr. MITCHELL of Oregon. Yes; it may be read.

Mr. WOLCOTT. The General Assembly of the State of Colorado was called to meet in special session by the governor. The reasons for calling it together had been stated at length by the governor by proclamation, and among other reasons given was in order that the Legislature might provide that foreign silver dollars containing not less than 371½ grains of fine silver, and upon the present ratio of 16 of silver to 1 of gold, shall be a legal tender for the payment of all debts, public and private, collectible within the State of Colorado. The Legislature met in pursuance to that call, and among its first acts was a repudiation by both branches of the General Assembly of either the intention or the right of the State to legislate respecting its currency.

These resolutions are most forcibly expressed. I ask that the resolutions may be read as bearing testimony to the fact that the people of Colorado stand or fall with the laws of the rest of their country, and that they accept the situation, painful and unfair as it has been. I may add the pleasing fact that although the silver industry has been stricken down within the State, prosperity is returning within its borders and its citizens have found other channels of industry.

The VICE-PRESIDENT. The memorial will be read.

The memorial was read, and referred to the Committee on Finance, as follows:

House concurrent resolution No. 2. By Mr. Kilton.

Whereas Davis H. Waite, governor of the State of Colorado, has by proclamation summoned the ninth General Assembly of the State of Colorado in extraordinary session for the purpose of legislating upon certain subjects specifically mentioned in said proclamation, and among other things to provide that foreign silver dollars containing not less than 371½ grains fine silver, and upon the present ratio of 16 of silver to 1 of gold, shall be a legal tender for the payment of all debts, public and private, collectable within the State of Colorado; and

Whereas the object of said recommendation is to secure from this General Assembly legislation authorizing the payment of debts and obligations within this State in dollars of the Republic of Mexico and other foreign governments, of a value now fluctuating in the neighborhood of 56 cents; and

Whereas the result of such legislation would be to flood our State with a depreciated and spurious currency, and to subject our people to all the evils incident thereto; and

Whereas the people of the State of Colorado are irrevocably opposed to the impairment or violation of the obligation of any contracts now made or hereafter to be made and enforceable within this State, and at all times intend to pay their just debts, according to their tenor, dollar for dollar in the lawful money of the United States; and

Whereas by the Constitution of the United States the power of the States over the coining and valuing of the metallic medium of exchange was vested in the Congress of the United States, and denied to the States, for the express purpose of creating and preserving the uniformity and purity of the standard of value; and

Whereas Congress having, within the exercise of undisputed constitutional powers, undertaken to provide a currency for the whole country and to secure the benefit of it to the people by legislation to this end, has denied the quality of legal tender to foreign coins: Now, therefore,

Be it resolved by the house of representatives of the ninth General Assembly of the State of Colorado (the Senate concurring), That we hereby unequivocally condemn any attempt at legislation as above recommended as unwise, inexpedient, and of doubtful constitutionality, and tending to bring into disrepute the great State of Colorado and her people; and we hereby denounce any attempt to accomplish the same in opposition to the wishes and in defiance of the repeated, earnest, and emphatic protests of the people of the State; and

Be it further resolved by the General Assembly of the State of Colorado, That



we do hereby declare that we demand of the Congress, to whom the States have delegated the power of providing a circulating medium for the necessities of the people, that they carry out the great trust confided to them by the people and restore to silver, equally with gold, as the money of the Constitution, the right of free and unlimited coinage at the mints of the United States.

Passed the house of representatives the 12th day of January, A. D. 1894.

E. M. AMMONS,

*Speaker House of Representatives.*

Passed the senate the 13th day of January, A. D. 1894.

D. H. NICHOLS,

*Lieutenant-Governor.*

Mr. PEPPER. By request of the petitioner, I present to the Senate a copy of a petition that has been presented in the House of Representatives. It is by a well-known citizen of Kansas, the lieutenant-governor of the State, and it relates to a subject which will soon come before this body for action, namely, that of taxation. The subject-matter of the petition refers to a graduated property taxation. In view of the importance of the matter, I move that the petition and the accompanying draft of a bill be printed as a miscellaneous document for the use of the Senate, and referred to the Committee on Finance.

The motion was agreed to.

Mr. STOCKBRIDGE presented petitions of Hall of Star Council, No. 89, Royal Arcanum, of Detroit, Mich., and of sundry citizens of Marshall, Mich., in the interest of the fraternal society and college journal, praying for the passage of the Manderson-Hainer bill, providing an amendment of the postal laws; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented memorials of 51 employes of W. Denton & Co., of Centerville, Mich.; of 68 citizens of Centerville, Mich., and of the Knit Goods Association of Cohoes, N. Y., remonstrating against the passage of the Wilson tariff bill, on account of its effect upon knitted goods; which were referred to the Committee on Finance.

Mr. SHERMAN. I present memorials of 263 citizens of Cincinnati; of 120 citizens of Harrison; of 35 citizens of Oxford; of 95 citizens of Granville; of 77 citizens of Zane; of 61 citizens of Canton; of 59 citizens of Saline; of 77 citizens of Franklin; of sundry citizens of Medina; of 78 citizens of Clarksfield; of 11 citizens of Smith; of 94 citizens of Jackson, all in the State of Ohio, and of the American Protective Tariff League, of New York City, remonstrating against the passage of the Wilson tariff bill.

These are similar to memorials I have heretofore presented. I wish to call attention to the fact that the memorials are not in the ordinary form. Although they are on printed heads, they are signed by a great mass of intelligent people. I think I have presented about 300 memorials of a similar character, signed, as will appear upon their face, by citizens not only able to write, but able to write well, earnestly urging that the American Congress may defeat the so-called Wilson bill. They depict in strong language the condition of suffering and want in many portions of the State of Ohio, and they beg that Congress will postpone any action upon the tariff question at present. I move that the memorials be referred to the Committee on Finance.

The motion was agreed to.

Mr. SHERMAN presented memorials of 390 business men and woolgrowers of the Territory of New Mexico, remonstrating against placing wool on the free list; which were referred to the Committee on Finance.

He also presented a memorial of sundry manufacturers and dealers in glass, of Findlay, Ohio, remonstrating against a reduction of the duty on window glass; which was referred to the Committee on Finance.

He also presented a memorial of the Board of Trade of Springfield, Ohio, remonstrating against the imposition of an income tax; which was referred to the Committee on Finance.

He also presented petitions of Anthony Wayne Council, No. 88, National Union, of Defiance, Ohio, and of sundry citizens of Bryan, Ohio, praying for the passage of the Manderson-Hainer bill providing an amendment of the postal laws; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Columbus (Ohio) Trades and Labor Assembly, praying for the enactment of legislation for the better protection of American labor, the enforcement of the law of domicile, and the restriction of immigration; which was referred to the Committee on Interstate Commerce.

Mr. CULLOM presented a petition of the Union League Club, of Chicago, Ill., praying for the enactment of legislation providing an additional circuit judge for the seventh judicial circuit, and also for an additional judge for the northern judicial district of Illinois; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Illinois; of Columbian Camp, No. 1916, Modern Woodmen of America, of Mount Carmel, Ill., and of Camp No. 147, Modern Woodmen of America, of Sandwich, Ill., praying for the passage of the Manderson-Hainer bill providing an amendment to the postal laws;

which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Woman's Christian Temperance Union, of Mount Greenwood, Ill., praying for an increased tax on spirituous liquors; which was referred to the Committee on Finance.

He also presented the petition of William H. Condon, of Chicago, Ill., praying for the enactment of legislation providing an additional judge for the northern district of Illinois; which was referred to the Committee on the Judiciary.

He also presented a memorial of the Knights of Labor, of Peoria, Ill., remonstrating against the issuance of bonds, and praying for an increase of currency to the amount of \$50 per capita; which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Griggsville, Ill., soldiers of the late war, praying for the enactment of legislation pensioning ex-prisoners of war; which was referred to the Committee on Pensions.

Mr. HOAR. I present the petition of Henry A. Brown, of Saxonville, Mass., ex-special Treasury agent, and a man who has thoroughly investigated the sugar question, praying that imported sugars shall be made dutiable for revenue purposes, either by refining sugar in bond and taxing the refined product, or by levying duty direct upon imports of sugar, for the reasons which are set forth in his petition. I move that the petition be referred to the Committee on Finance.

The motion was agreed to.

Mr. HOAR. I present a memorial signed by 256 employes of the Faulkner Woolen Mills, of Lowell, Mass., and a memorial of Grange No. 127, Patrons of Husbandry, of Amesbury, Mass., remonstrating against the passage of the Wilson tariff bill.

These are not ordinary memorials. They are cries of agony from men who have been well employed, never asking alms or help, or anything but the opportunity to get an honest living in an honest way, against this unscientific, formidable menace of proposed legislation. Of course I do not wish to prejudice anyone against the measure in advance, but that is the way it strikes me. I move that the memorials be referred to the Committee on Finance.

The motion was agreed to.

Mr. HOAR presented a petition of Council No. 1082, Royal Arcanum, of Waltham, Mass., praying for the passage of the Manderson-Hainer bill providing an amendment of the postal laws; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Washington Council, No. 9, Home Circle, of Somerville, Mass., praying for cheaper rates of postage on newspaper publications of fraternal beneficiary organizations; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a resolution, adopted by the city council of Boston, at a meeting held January 15, 1894, expressing the opinion that the present emergency is of such a nature as to warrant the National Government in utilizing the navy-yard in Charlestown, Mass., for the building and repairing of some of its vessels, which would relieve a large number of the unemployed by providing work for many worthy laborers and mechanics; which was referred to the Committee on Naval Affairs.

Mr. DUBOIS presented memorials of Local Assembly, No. 2462, Knights of Labor, of Wardner, and of Local Assembly, No. 104, Knights of Labor, of Wallace, all in the State of Idaho, remonstrating against the issuance by the Government of \$200,000,000 of interest-bearing bonds; which were referred to the Committee on Finance.

He also presented petitions of District Assembly, No. 13, and of Local Assembly, No. 1543, Knights of Labor, of Mullan, Idaho, praying for the passage of Senate bill No. 107, providing for the establishment of postal savings banks; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. VILAS presented a petition of the common council of Antigo, Wis., praying that an appropriation be made for the improvement of the harbor of Oconto, Wis.; which was referred to the Committee on Commerce.

Mr. WASHBURN presented a memorial of the Chamber of Commerce of St. Paul, Minn., remonstrating against placing iron ore and lumber on the free list; which was referred to the Committee on Finance.

He also presented petitions of Cyrus Northrop, president, and other members of the faculty of the University of Minnesota; of J. C. Norton and 35 other citizens of St. Paul, and of Hon. J. B. Gilfillan and 40 other citizens of Minneapolis, all in the State of Minnesota, praying that all books and other publications printed in the English language may be imported into the United States free of duty; which were referred to the Committee on Finance.

Mr. McMILLAN presented memorials of Thomas E. Shaffer and 69 other citizens, and of Peter Shaffer and 50 other em-



ployés of Denton & Co., of Centerville, all in the State of Michigan, remonstrating against the proposed reduction of duty on knitted underwear; which were referred to the Committee on Finance.

He also presented petitions of Luke Dunn and 38 other citizens, and of Rasine Valley Council, Royal Arcanum, of Monroe, all in the State of Michigan, praying for the admission to the mails, at pound rates, of all publications of fraternal societies and college journals; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. PLATT presented a memorial of 340 employés of the American Hosiery Company, of New Britain, Conn., remonstrating against the proposed reduction of the duty on knitted underwear; which was referred to the Committee on Finance.

Mr. ALLISON presented petitions of C. M. Lawrence and other citizens of Cedar Falls; of George N. Gibbs and 47 other citizens of Salix; of B. F. Rehkopf and sundry other citizens of Des Moines, and of H. E. Kline and 29 other citizens of La Porte City, all in the State of Iowa, praying that periodical publications, issued by or under the auspices of benevolent and fraternal societies and orders, and institutions of learning, be admitted to the mails as second-class matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Golden Star Council, No. 488, of Cedar Falls, and of Capital Lodge, No. 14, American Order of United Workmen, Des Moines, all in the State of Iowa, praying for the enactment of legislation to give the fraternal press of the country the present rate of postage on other newspapers; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of Typographical Union, No. 180, of Sioux City, Iowa, remonstrating against the admission of scientific publications free of duty; which was referred to the Committee on Finance.

He also presented a memorial of the Musser Lumber Company, of Muscatine, Iowa, and of other large manufacturers of lumber in the States of Iowa and Illinois, remonstrating against the passage of the lumber schedules in the Wilson tariff bill; which were referred to the Committee on Finance.

He also presented petitions of David Todd and sundry other honorably discharged Union soldiers, of Tripoli, and of Salem Pratt and sundry other honorably discharged soldiers of the late war, of Bedford, in the State of Iowa, praying for the enactment of a just and equitable service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of Eastman A. Kelsey and sundry honorably discharged Union soldiers, of Tripoli, and of Isaac Kersey and other honorably discharged Union soldiers, of Bedford, all in the State of Iowa, praying for the enactment of such laws as will prevent the suspension of pensions, etc.; which were referred to the Committee on Pensions.

Mr. HILL presented a petition of sundry citizens of Syracuse, N. Y., praying for the enactment of legislation regulating the traffic in oleomargarine; which was referred to the Committee on Agriculture and Forestry.

He also presented memorials of J. Kirshbaum, Joseph Samuels, R. Kallisher, Joseph Brusak, T. Goldberg, D. L. Hoffman, W. Jeager, J. Smith, Sol. Ladinski, Letzer Honing & Co., Mathias Huck, O. Thouser, Aaron Freed, G. Kiniskie, Aaron Morris, C. Brusack, R. Friedman, William Shatten, J. Kraus, B. Bookstaber, Morris Weinstraule, A. Morris, A. Rosenthal, F. Jacob Wuerstlin, A. J. Milken, M. Schatten, M. Shusztter, E. Kabage, W. Storm, Jacob Rosenthal, F. Riche, Sigmund Benis, I. Bushke, M. Sellner, Barnat Knohn, Joseph Neger, Robert Furst, M. Dambrosky, F. Neger, I. Marks, M. Solomon, W. Davis, L. Mayaski, Jacob Greenbury, I. Koplik, E. Willner, Andrew Schock, A. Summerland, Ferdinand End, I. Alexander, Michael Bond, Max Phillips, and their employés, clothing manufacturers of New York City, and Brooklyn, N. Y., remonstrating against the passage of the Wilson tariff bill; which were referred to the Committee on Finance.

He also presented memorials of 60 citizens of Valley Falls; of 75 citizens of Hoosick Falls; of 121 citizens of Fort Ann; of 53 citizens of Cohoes; of 141 citizens of Troy; of 65 citizens of Ilion; of 73 citizens of Stillwater; of 69 citizens of Catskill; of 92 citizens of Mechanicsville; of 32 citizens of Rome; of 156 citizens of Whitehall; of 72 citizens of Albany; of 104 employés of Gardner & Warring, of Amsterdam; of 33 employés of the Atlantic Knitting Company, of Cohoes; of 68 employés of the J. K. Stewart Knitting Mill, of Amsterdam; of 93 employés of the Clarke & Holsapple Manufacturing Company, of Cohoes; of 236 employés of the Williams Bros. Knitting Mill, of Rome; of 139 employés of the Katterskill Knitting Mill, of Catskill; of 18 employés of Willow Glen Knitting Mill, of Mechanicsville; of 42 employés of C. W. Vrendenburg, of Cohoes; of 15 employés of the Rob Roy Hosiery Company, of Troy; of 20 employés of R. & H. New-

land, of Stillwater; of 59 employés of the West Side Knitting Mill, of Cohoes; of 7 employés of McLachlan, Conda & Co., of Schenectady; of 59 employés of the Empire State Knitting Company, of Mechanicsville; of 71 employés of the Hoosick Falls Hosiery Company, of Hoosick Falls; of 44 employés of the Continental Knitting Company, of Cohoes; of 36 employés of Crandall & Jerme, of Ilion; of 44 employés of the Commercial Knitting Company, of Troy; of 69 employés of the William Moore Knitting Company, of Cohoes; of 97 employés of Yund, Kennedy & Yund, of Amsterdam; of 62 employés of the Jewell Knitting Mills, of Valley Falls, and of 38 employés of the Standard Woolen Mills, of Cohoes, all in the State of New York, remonstrating against the proposed reduction of the duty on knitted underwear; which were referred to the Committee on Finance.

Mr. PETTIGREW. I present a petition of the Minnehaha Canning Company, of Sioux Falls, S. Dak., by its president, W. W. Brookings, praying that no change be made in the tariff on tin plate. The petitioners state that the American product is superior to the article which is imported, and that its price has not been materially increased since the passage of the tariff law of 1890. I move that the petition be referred to the Committee on Finance.

The motion was agreed to.

Mr. MANDERSON presented a petition of 66 citizens of St. Edward, Nebr., praying for the passage of Senate bill No. 1353, providing for the admission of newspapers published by fraternal societies and institutions of learning to the United States mails as second-class matter; which was referred to the Committee on Post-Offices and Post-Roads.

#### REPORTS OF COMMITTEES.

Mr. COKE. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 51) to change the boundaries of the judicial districts of the State of Florida, to report it without amendment.

Mr. HOAR. I desire to state in behalf of myself (I am not sure whether other members of the committee agree with me or not) that the method of dealing with the existing inequality proposed by the bill in the two districts in Florida does not meet my concurrence. I think that is the view of all the Republican members of the committee. While there may be some inequality in the existing districts which ought to be remedied, the bill goes very much too far, and when it comes up I shall propose an amendment which seems to me to be better than the present bill.

Mr. CALL. I ask the Senator from Massachusetts if he would have any objection to the consideration of the bill immediately after the routine morning business. I should be very glad to have it disposed of to-day. The business interests that are now pending in that court are of such a character that it is quite important to have the question determined. I hope the Senator will agree to take the bill up after the routine business this morning, and we can consider any amendment, and put it on its passage.

Mr. HOAR. Drawing a proper amendment will require some little study of detail not merely in regard to population and business, but railroad accommodations. I think the bill ought to be accompanied by a brief report showing the statistics on those subjects, and it will be a few days before I can prepare such a report. I will say to the Senator from Florida that I have no purpose to delay the passage of the bill, because if it is to be passed it may as well be passed at one time as another and let the public understand what is to be done, but I shall want to take two or three days before I can frame an amendment and a report, and will then wish to have them printed. I should think by the latter part of this week or certainly by next Monday there will be no objection to taking up the bill and having the Senate dispose of it.

Mr. CALL. I hope the Senator will expedite the matter as much as possible.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. MANDERSON, from the Committee on Indian Affairs, to whom was referred the bill (S. 1467) to amend an act entitled "An act to provide for the sale of the remainder of the reservation of the Confederated Ojibwa and Missouria Indians, in the States of Nebraska and Kansas, and for other purposes," approved March 3, 1881, reported it without amendment, and submitted a report thereon.

#### LAND SCRIP LOCATIONS.

Mr. DOLPH. By direction of the Committee on Public Lands I report without amendment House bill 73, and as it is only ten lines in length and relates to a very important matter, I ask for the present consideration of the bill.

Mr. SHERMAN. Let the bill be read for information.

The VICE-PRESIDENT. The bill will be first read by title.



The SECRETARY. A bill (H. R. 73) supplementary to the act of Congress approved January 28, 1879, entitled "An act defining the manner in which certain land scrip may be assigned and located or applied by actual settlers, and providing for the issue of patents in the name of the locator or his legal representatives."

Mr. SHERMAN. I think the very title indicates that it is a bill of some importance.

Mr. DOLPH. It is a very simple bill. Congress passed an act, which was approved January 28, 1879, authorizing patents to be issued to people who had located scrip under the decision of the court. There had been 1,900 entries prior to that time. The bill merely authorizes patents and does not affect the title at all. It will be seen by reading the bill that it merely affects the entries and gives muniment of title. Although not necessary to the title, it gives them a convenient muniment of title. That is all there is of it. By the act referred to—

Mr. SHERMAN. Let the bill be read.

Mr. DOLPH. Yes, let it be read.

The VICE-PRESIDENT. The bill will be read for information.

The Secretary read the bill, as follows:

*Be it enacted, etc.,* That it shall be lawful for the Commissioner of the General Land Office to cause patents to be issued, as evidence of title, for all valid locations made with land scrip issued pursuant to decrees of the Supreme Court of the United States, which valid locations were made prior to the approval of the aforesaid act in the same manner that patents are now issued under the provisions of section 3 of said act of January 28, 1879.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Oregon for the present consideration of the bill just read?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment.

Mr. HOAR. I desire that the bill shall be read in full. It is very short, and I did not hear it.

The VICE-PRESIDENT. The bill will be read at length.

Mr. SHERMAN. I think a bill of such importance, involving titles—

Mr. DOLPH. It does not involve titles to land; it simply—

Mr. SHERMAN. It involves patents, which I suppose convey titles. I think the bill had better go over and let us look at it.

The VICE-PRESIDENT. There is objection to the further consideration of the bill, and it will be placed on the Calendar.

#### BILLS INTRODUCED.

Mr. MANDERSON introduced a bill (S. 1510) authorizing and directing the purchase of Gen. S. W. Price's life-size portrait of Gen. George H. Thomas, deceased; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 1511) granting an increase of pension to Mary E. Hazlip; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 1512) granting a pension to George W. Campbell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HAWLEY introduced a bill (S. 1513) for the relief of Maj. Gen. George S. Greene; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DUBOIS introduced a bill (S. 1514) for the relief of James Q. Shirley, and the estate of Francis De Long, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. STEWART introduced a bill (S. 1515) to amend chapter 6 of Title XXXII of the Revised Statutes, relating to mineral lands and mining resources; which was read twice by its title, and referred to the Committee on Mines and Mining.

Mr. HOAR. I introduce a bill, and as it comprises only a few lines, I desire to have it read at length.

The bill (S. 1516) to prevent injustice to deserving pensioners was read the first time by its title and the second time at length, and referred to the Committee on Pensions, as follows:

*Be it enacted, etc.,* That whenever any person whose name is borne on the pension rolls of the United States shall be dropped or suspended from said rolls, or whenever the payment of any pension shall be discontinued, in whole or in part, or the grade of the pension reduced, said pensioner may forthwith apply by petition to the judge of the United States court for the district wherein he resides, who, after due notice to the Commissioner of Pensions and upon hearing, may order the pensioner to be restored to the rolls, or the pension before paid him to be continued. Upon such hearing all evidence existing in the Pension Office applicable to the case, and any further competent evidence presented by either party, may be considered.

Mr. MILLS (by request) introduced a bill (S. 1517) for the relief of Mary C. Williams, of Texas; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MITCHELL of Wisconsin introduced a bill (S. 1518) for the relief of Peter Fleming; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. QUAY introduced a bill (S. 1519) to extend the privileges

of the transportation of dutiable merchandise without appraisement to the port of Erie, in the State of Pennsylvania; which was read twice by its title, and referred to the Committee on Commerce.

Mr. KYLE (by request) introduced a bill (S. 1520) to regulate the conduct of employes in the Army, Navy, and civil service of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PETTIGREW introduced a bill (S. 1521) authorizing the Secretary of the Interior to ascertain damages resulting to any person who made entry upon lands within the present limits of the Sequoia and Yosemite National Parks, in the State of California, prior to October 1, 1890; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. MARTIN (by request) introduced a bill (S. 1522) to protect the property of the United States Electric Lighting Company and to punish trespassers upon the same in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. WHITE of Louisiana introduced a bill (S. 1523) to refer the title of the heirs of Don Juan Filhiol to certain lands in Arkansas to the Court of Claims; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. VILAS introduced a bill (S. 1524) to amend sections 2 and 9 of "An act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CALL introduced a bill (S. 1525) for the relief of G. H. Norton, surety on the bond of M. I. Martin, late postmaster at Arkansas City, Kans.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. SHERMAN introduced a bill (S. 1526) for the relief of Henry Halteman; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALLEN introduced a bill (S. 1527) for the relief of the officers and crews of the United States gunboats Kineo and Chocura; which was read twice by its title, and referred to the Committee on Claims.

#### ISSUE AND SALE OF BONDS.

Mr. STEWART. I submit a resolution, and ask that it may go over until to-morrow morning.

The resolution was read, as follows:

*Resolved,* That, in the judgment of the Senate of the United States, the Secretary of the Treasury is not at this time clothed, under existing laws, with any legal authority to issue and sell the bonds or other interest-bearing obligations of the Government.

Mr. STEWART. I should like to have this resolution voted on to-morrow, if it can be done. The bonds are about to be issued. This is a grave question, and it seems to me the Senate ought at least to express an opinion one way or the other upon it. I give notice that to-morrow morning I shall call up the resolution and ask for a vote on it.

The PRESIDING OFFICER (Mr. BLACKBURN in the chair). The resolution will go over.

#### SERVICE IN GRAY'S BATTALION.

Mr. MITCHELL of Oregon. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

*Resolved,* That the Secretary of the Interior be, and he is hereby, directed to advise the Senate as to whether any pension or pensions have ever heretofore been issued to any person or persons, and, if so, the date and to whom and the amount, on account of services rendered in David West's Company B, in the battalion regiment of Arkansas volunteers commanded by Lieut. Col. William Gray, called into the service of the United States by the President under the act of Congress approved May 13, 1846; and, if so, whether the Department has at any time since, and, if so, when, determined that pensions granted for service in said Gray's battalion heretofore described were allowed under a misapprehension as to the nature of the service of such battalion, and whether it is the present policy of the Department to allow no pension whatever to anyone for service in said battalion, and if any such change has been made in the policy of the Department the reasons therefor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon for the present consideration of the resolution? The Chair hears none, and the question is upon agreeing to the same.

Mr. MITCHELL of Oregon. I wish to say a word in explanation of the resolution. It is not intended to reflect in any manner either upon the present management of the Pension Bureau or the Department of the Interior or upon the management of any former administration of that Department, but it is simply for the purpose of getting certain facts. A constituent of mine belonging to this company and battalion recently applied for a pension, and he received a communication from the Deputy Commissioner of Pensions which is very brief and which I ask to have read. It will explain the purpose of my resolution.



The PRESIDING OFFICER. The letter will be read:  
The Secretary read as follows:

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,  
Washington, D. C., January 25, 1894.

SIR: In reply to the inclosed letter, referred to this Bureau by Hon. JOHN H. MITCHELL, I have to advise you that your claim was not rejected on the ground that you did not serve sixty days, but that you did not serve in Mexico, on the frontier thereof, or en route thereto for sixty days, or any of the conditions named combined making sixty days. Your entire service was rendered at or near Fort Gibson, Ind. T. Pensions heretofore granted for service in Gray's Battalion were allowed under a misapprehension as to nature of its service.

Your claim can not be reopened as the law stands.

Very respectfully,

H. C. BELL, Deputy Commissioner.

JOHN WHITTLE,  
No. 325 Eighteenth Street, Portland, Oregon.

The PRESIDING OFFICER. The question is on agreeing to the resolution submitted by the Senator from Oregon.

Mr. COCKRELL. Let the resolution be again read.

The PRESIDING OFFICER. Without objection, the Secretary will read the resolution.

The Secretary again read the resolution.

The resolution was agreed to.

#### RAILWAY TRAFFIC WITH CANADA.

Mr. HIGGINS submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Treasury be, and he is hereby, directed to inform the Senate of the number of railway cars and the weight of the contents thereof, whether dutiable or domestic, that passed between United States ports or points through the Dominion of Canada, for the years respectively from 1885 to the present time.

L. T. FELL.

Mr. HARRIS submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary of the Senate be, and he is hereby directed, to pay to L. T. Fell, jr., assistant postmaster United States Senate post-office, the sum of \$100 out of the miscellaneous items of the contingent fund of the Senate; the same to be used to purchase stamps to supply the Senate post-office; the present amount, namely, \$50, allowed for that purpose being found inadequate to supply the demand.

#### CORPORATE INFLUENCES.

Mr. CALL. I submit a resolution and ask that it be printed and lie on the table.

The Secretary read the resolution, as follows:

*Resolved*, That the Committee on Civil Service be and they are hereby instructed to inquire and report to the Senate whether any officials in the civil service of the United States have been influenced in the performance of their official duties, as prescribed by law, or in the exercise of their official power, by money or inducements of free travel or other corrupt means, by corporations, banks, syndicates, or trusts of the United States.

Second. That the committee shall further inquire and report to the Senate to what extent the newspaper press is owned or subsidized by the railways and banking or other corporations, or by syndicates, or trusts, or by persons connected with or owning stock in great railway and banking or commercial corporations, and whether or not appointments to Federal office and elections by the people have not been controlled or influenced by railway or other corporations for the purpose of influencing and controlling persons employed in the civil service of the United States, and whether the official power of such persons have or have not been or is now being exercised and performed under these influences in the interest of and for the special benefit and exclusive benefit of railway and other corporations where they have special interests to be protected.

That the Committee report to the Senate by bill or otherwise, and have leave to send for persons and papers and subpoena witnesses and administer oaths.

Mr. HOAR. Does the Senator mean the Civil Service Commission?

Mr. CALL. I do not. I think the language is very proper and very plain. "The civil service of the United States" is not the Civil Service Commission.

Mr. HOAR. I do not precisely understand what the Senator means by the term "the civil service of the United States in the performance of its official duties."

Mr. CALL. The civil service as performed by its officials. The civil service of the United States is an abstract term.

Mr. HOAR. The persons employed as officials, or the President of the United States, or whom?

Mr. CALL. The resolution does not refer to the President of the United States.

Mr. HOAR. It includes the President if it means anything.

Mr. CALL. I do not presume that any Department of the Government would make such a reference to the President of the United States. The resolution applies to the inferior officials, as to whom Congress may properly inquire.

Mr. HARRIS. I wish to call the attention of the Senator from Florida to the fact that his resolution provides that the committee shall have power to send for persons and papers and administer oaths. If witnesses are to be subpoenaed the resolution ought to provide means to pay the expenses of subpoenaing and bringing witnesses here.

Mr. CULLOM. It would then have to go to the Committee on Contingent Expenses.

Mr. HARRIS. If it so provided, it would necessarily go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. CALL. If the Senate sees fit to consider the resolution favorably there will then be time to provide for the expense and refer it to the proper committee of the Senate for its opinion. I ask that the resolution be printed and lie on the table.

The VICE-PRESIDENT. The resolution will be printed and lie on the table.

#### POLICY REGARDING HAWAII.

The PRESIDING OFFICER (Mr. BLACKBURN in the chair). Are there further resolutions, concurrent or otherwise? If there be none, the Chair lays before the Senate the resolution reported by the Senator from Indiana [Mr. TURPIE] from the Committee on Foreign Relations, which comes over by unanimous consent. The resolution will be read.

The Secretary read the resolution reported by Mr. TURPIE from the Committee on Foreign Relations on the 23d instant, as follows:

*Resolved*, That from the facts and papers laid before the Senate it is unwise and inexpedient, under existing conditions, to consider at this time any project of annexation of the Hawaiian territory to the United States; that the Provisional Government therein having been duly recognized, the highest international interests require that it shall pursue its own line of policy. Foreign intervention in the political affairs of these islands will be regarded as an act unfriendly to the Government of the United States.

Mr. TELLER. Mr. President, I do not intend to discuss the Hawaiian question, and but for the peculiar phraseology of the first part of the pending resolution I should say nothing, but content myself with voting on it.

My objection to the resolution is to the language contained in its first few lines with reference to annexation. I do not say that I so much object to that language that I would not vote, under some circumstances, to accept it with the additional words of the resolution, because I regard the concluding words as of great importance.

Before I proceed to express my views briefly upon annexation, I wish to call the attention of the Senate to the use of the term, which we have heard here frequently, with reference to the new Government of the Hawaiian Islands as a *de facto* government. There is no distinction between a *de jure* government and a *de facto* government, unless it be one of time; and it would be as proper to speak of what is called the *de jure* as the old government and the *de facto* as the new, as it would be to speak of it as the *de jure* or *de facto* government. In all governmental affairs, in all considerations between nations, there is to be no such distinction made, and there is none. Whenever a government in any country has the ability to command the obedience of the people, then it becomes the government, and it is not a question, when it is recognized, as to how and in what manner it came into existence.

It may have come into existence by the consent and approval of all the people; it may have come into existence by the consent of comparatively few people, but whenever the people of a country shall have acquiesced in the determination of a so-called government to control affairs, whether it had been originally by the consent of the few or of the many, it becomes a government and it is quite immaterial whether it is called a *de jure* government or a *de facto* government.

Mr. PASCO. May I ask the Senator a question?

Mr. TELLER. Certainly.

Mr. PASCO. I wish to ask whether the Senator draws any distinction between a provisional government and a permanent government?

Mr. TELLER. I do not. A provisional government for the time being is as much a government as any other. It may be, as in this case, that the government was supposed to be organized for a temporary purpose, for the purpose of existence until the Government of the United States should throw around these people and over that country its protection and its laws; it is a government, and every government in the world which has heretofore had official relations with the Government of Hawaii recognized it as a government, and there was no limitation, no restriction, no difference in its recognition from what would have been if it had declared that it was a government for all time and not for a limited time, as those people did declare. Our dealings with that government become actually the same as if it had existed from time immemorial.

I want to repeat that it is not a question for us, or for any other country, how that government came into existence. If it came into existence by fraud, by crime, as all revolutionary governments do come, more or less, it is not a vice which follows a government when it is once established. That government came into existence by revolution, a bloodless revolution, but nevertheless a revolution. It came into existence in defiance and violation of existing laws, as all revolutionary governments



do and must; as we came into existence, as the French Republic came into existence, as all the South American Republics and the other republics on this continent came into existence; yet nobody has ever supposed because they did so come into existence, when the government had reached the point that it was able to command the obedience of the people, it was not a government for all intents and purposes.

So, when we recognized, as we did through the proper department of this Government, the Hawaiian Government a year ago or nearly that, we were precluded from raising any question as to the method by which it was organized; and I venture to say, Mr. President, this is the only case in modern history, at least where, after a government has been recognized as an existing government, diplomatic relations having been established, the government so establishing diplomatic relations attempted to overthrow or destroy it because of some supposed vice in its creation.

That is about all I want to say upon this subject. When the Committee on Foreign Relations, which is charged with this investigation, shall present its report, I think I may have something further to say.

The Hawaiian Government is in existence—wisely or unwisely is not a question for us to determine. It came into existence, and we said that we would recognize it as an existing government, and all the world said they also recognized it as an existing government. What more can be wanted? The integrity of that Government has been questioned. By whom? By ourselves, through our Executive, and by nobody else on the face of the earth.

Mr. President, I am not going into a discussion whether it was wise for the Executive to do what he has done or not. That may be left for another time. The Government is now in existence, and I think I may assume that there is not a man in the United States to-day who believes that we are going to put our hands upon it and destroy it. There may be people in Hawaii, there may be people in other parts of the world, who believe that will be done; but nobody believes it here. Public sentiment in this country is averse to the destruction of a government founded, professedly at least, upon principles somewhat like our own, and the restoration of a monarchical government in its place.

Everybody in this country understands that if we do not annex the Hawaiian Islands there will be there in due time a free and liberal government, and not a monarchy. If they have not reached that point yet, we know from the character of the men who were at the bottom of this revolution and we know from the character of the men who are in control now what must be the outcome and what must be the character of the Government. The men who shape and direct the affairs in those islands are men born and brought up with principles like ours, with reference to the rights of men, whether they be Englishmen or whether they be Americans, and we are morally as certain to-day as we shall be a year from now that this temporary government will be replaced by a government which will be in accord with the spirit of the age, and the American people are in favor of that kind of government not only at home, but abroad.

Mr. President, I want to say a word or two why I may vote for the resolution with these objectionable words in it, if I can not get them out. I am in favor of annexation of those islands, and I confess that I am somewhat impatient with anybody who does not see that question just exactly as I do. From my boyhood up I have been taught to believe that one of the things desirable in the United States and one of the things sure to come was the annexation of those islands to the United States under some form of government or in some manner. Fifty years ago the Government took steps to bring those people under our flag; nearly fifty years ago, but for the accidental death of the ruling sovereign there, they would have been incorporated under some provisions into the autonomy of these States.

There has not been a Secretary of State, I will venture to say, in seventy years who has not left somewhere on the public files his desire and the desire of the Government he represented to bring these people into closer relations with us—not by a protectorate, but by an absolute incorporation into our autonomy. Now, when these islands offer themselves to us, and when there is not to be found upon the face of the earth a dissenting voice that dare make itself heard, we are told that we can not take them in, first, because there was some improper manner in which they secured the existing government; and secondly, that it is contrary to the policy and traditions of the people of the United States to have any outside colonies or any lands not contiguous to our own.

This is not true. It never has been so, and it can not be said truthfully that there has ever been a time in our history when the policy of the Government has been enunciated against the acquisition of territory, or where acquisition was desirable, that it has been limited to land that was contiguous to the land over

which the flag floated. I heard a distinguished Democrat on this floor not long since declare that such annexation was contrary to the traditions and policy of this Government. If it be, then the Democratic policy and traditions have run counter to those of the Government. Mr. President, the Democratic party has been the party of acquisition from the very foundation of the Government to this hour, or until this Administration, I perhaps may say; and if it is not the party of acquisition to-day, it is because it surrenders its judgment to that of the Executive in this case, and abandons one of the fundamental features and principles of its original organization and repudiates its history.

The first acquisition of territory to this country came under a Democratic Administration, and opposition to it came from the opponents of that Administration. Everybody who has given the slightest attention to history understands that the acquisition of Louisiana brought about a discussion, first, of the power of acquisition, and, second, whether the Government of the United States if Louisiana was acquired, could make a Territory of it or a State. While it is true that Mr. Jefferson, who was the active agent in securing this territory to us, held that the power of acquisition was clear under the Constitution, yet he insisted that there must be an amendment to the Constitution before any portion of it could be incorporated as a State, while others held differently. He said it was not worth while to raise that question until it was reached, but the power of acquisition, he said, belonged to the Government, and as a corollary he said it belonged to the prerogatives of every nation; and so it does.

The Congress of the United States had indicated a willingness to take the Louisiana country, the country lying west of the Mississippi, and for that purpose Congress had voted \$2,000,000, which was supposed to be very large sum, and against which there was decided opposition, yet Mr. Jefferson a few months later promised to pay \$15,000,000 for it, and the Senate of the United States ratified the agreement which he had made in the face of opposition. We took in that magnificent country, extending from the Gulf to the British line, a country which has put upon this floor, in whole or in part, twenty-eight Senators. Does anybody think we made a mistake in the acquisition of Louisiana? And, Mr. President, I have heard from the stump for more than fifty years the acquisition of Louisiana paraded as one of the great feats of the Democratic party—and a great feat it was.

Later we obtained the Floridas. We secured the Floridas by negotiation, as we had obtained Louisiana. If anybody has read the history of the acquisition of those two countries he will bear me out in the assertion that we first resorted to negotiation; but there was a current in this country that could not have been stemmed, which insisted that the Government should, if negotiations failed, take those countries by the strong hand. The great Northwest and the West insisted that they should have an outlet to the sea; and there was no section of the country which was more determined that that outlet should be in our own land and under our flag than the people of Kentucky and Illinois. So in the time of our poverty we paid the enormous sum, as it was then thought, of \$15,000,000 for Louisiana, and later \$5,000,000 for Florida.

In the acquisition of Louisiana we acquired an extensive country that we did not maintain. There is no question in my mind that the purchase of Louisiana took our boundaries clear to the Rio del Norte; but later, Spain set up a title to that section of country, and our people, believing it was of little value outside of the great delta of the Mississippi, let it go. Subsequently, when the attention of the people of the United States was drawn to it, and when Texas became a settled community with American settlers, there was a general disposition to take in Texas; and, although it came burdened with slavery, we took it in by an almost unanimous declaration of the people that we wanted it. The only opposition which ever was made to the acquisition of Texas was owing to the fact that it came to us burdened with a system of servitude to which the great body of the people of the North were hostile, and yet, such was the desire for annexation, and such was the desire for the extension of our institutions over other sections of country, that the people acquiesced in taking Texas even with that objection.

No more popular thing was ever done by the Democratic party than the annexation of Texas. It did more, in my judgment, to strengthen that party and give it the long lease of power which followed that event than any other act.

Mr. GRAY. May I interrupt the Senator a moment?

Mr. TELLER. Certainly.

Mr. GRAY. I wish to remind him, if I may, if he has not already commented on it, that an interval of about eight years intervened between the battle of San Jacinto and the annexation of Texas.

Mr. TELLER. I understand that, Mr. President. I understand that the people of Texas had actually demonstrated their



ability to maintain a free government, and we took Texas with two great burdens. We took it first with slavery, and we took it with the great burden of the certainty of a Mexican war.

Mr. PLATT. We were not waiting to see whether they could maintain themselves.

Mr. TELLER. No, we were not waiting to see whether they could maintain themselves.

Mr. GRAY. If the Senator will allow me, I will not bother him now, but I will refer him to the document.

Mr. TELLER. It will not bother me any.

Mr. GRAY. President Jackson was denounced by a large part of his countrymen for his delay in recognizing the independence of Texas, when he sent a message saying the recognition of a new government was a matter of extreme delicacy, and that great caution ought to be observed and time given in order to observe its ability to maintain itself, that it might demonstrate that ability to the world.

Mr. TELLER. Gen. Jackson laid down, as I am quite well aware, the true and correct principle to be applied touching the recognition of a new government; but, having recognized it, whether prematurely or not, I repeat that, as applied to this case, it is an unheard-of thing to withdraw that recognition.

Now, I am going back to Texas. We took in Texas, I say, with two great burdens—first, of slavery; and, second, the knowledge that it would bring on a war with the Government of Mexico.

Mr. ALLEN. Will the Senator from Colorado allow me to ask him a question or two for information?

Mr. TELLER. Certainly.

Mr. ALLEN. At the time of the overthrow of the native Hawaiian Government, I understand we had friendly treaty relations with that Government.

Mr. TELLER. Certainly.

Mr. ALLEN. There was carried by that treaty relation an implied obligation that the sovereignty of neither nation would be assailed. That is true, is it not?

Mr. TELLER. I suppose it is.

Mr. ALLEN. Now, then, if it should prove to be true that our minister at the court of Hawaii violated the sovereignty of the islands and was the principal or sole means of causing the revolution, and our Government recognized the *de facto* government after that, would the Senator claim that we were powerless to repair the wrong done by our own minister?

Mr. TELLER. The present head of the Hawaiian Government is a better international lawyer, I am afraid, than the Senator from Nebraska, because he laid down the proper principle, which I have already stated, that it is not in the mouth of anybody to question how it was done; that if our officers did that which they ought not to have done it is a matter between the Government of the United States and the officers. I repeat what I said before, that there is not a history of a case in the world, I will venture to say, where a government having recognized another withdraws the recognition upon the ground that there was something wrong in its organization.

Further, there is not, as a general rule, any question at all raised as to the method of its creation. The question simply is, Have you the power now to maintain yourselves as a government? Do the people acquiesce in your attempt to govern them? If they do, it becomes what in common language is called a *de facto* government, but what in diplomatic circles is known as a government, and that is all there is of it.

Mr. ALLEN. Will the Senator permit me to ask him another question?

Mr. TELLER. Certainly.

Mr. ALLEN. Suppose it should prove true that the minister of the United States, through the military arm of the Government, absolutely overturned that government with which we had treaty relations, but the part he performed in bringing about the revolution was not discovered until after there had been a slight formal recognition of the new government, the *de facto* government, does the Senator pretend to say that this Government is powerless to undo that wrong and reinstate the native government?

Mr. TELLER. There had been no slight recognition; there had been an absolute recognition by us and by the world. The representatives of Great Britain, of France, and of Germany on the ground did not withhold their recognition because of some improper conduct of the United States, if any such had existed.

I said I did not care to go into that question of fact, because it is immaterial how the Government of Hawaii was organized. The question is, was it organized; did the old Government go out of existence and the new come in; did the people of Hawaii, by force, or fraud, or fear, or by self-interest, decline longer to recognize the old Government? Was the Queen dead, so far as power was concerned? She was as dead then for all connection with the Government as if she had been dead physically. It is

a new doctrine, I say to the Senator from Nebraska, which can not find any support in the diplomatic history of the world, that you will stop and inquire, after recognition at least, how did the government which has been recognized come into existence? It is possible, following out the line laid down by Jackson, that if a government came into power in such a way as to shock all mankind by its cruelties and wickedness, it might not be recognized; but we recognized the French Government that came into existence with greater cruelties and greater outrages than any other government in the world, and nobody was heard to say then that that Government was not a *de facto* or a *de jure* government because there were crimes committed in its organization.

Mr. HIGGINS. The whole world recognized it.

Mr. TELLER. Yes, the whole world recognized it, and the whole world has recognized the existing government in Hawaii.

Mr. GRAY. May I interrupt the Senator from Colorado for a question?

Mr. TELLER. Certainly.

Mr. GRAY. It seems to me that the question is not now in regard to the branch to which the Senator is speaking, whether there had been an actual recognition, for there was recognition by the last Administration, and there has been recognition since.

Mr. TELLER. Is there any doubt about it?

Mr. GRAY. I am just saying there is not any doubt about it. But the question we are considering, it seems to me, as a nation which respects its own character for upright dealing in international matters, is whether the Government that has been established there was established by a spontaneous movement of its own people or by the substantial aid and encouragement of this Government, with whom it was a part of the project that it should be annexed.

Mr. TELLER. I repeat, and I hope the Senator will not misunderstand my position, that we have no right to inquire what the incipient steps were. Suppose the great country lying on our northern border, Canada, should attempt to establish a government, and in violation of law the people of Vermont and New York and the border States should go over there and assist in bringing about a condition that would enable those people to maintain a government hostile to the present existing government, does the Senator say because that was done in violation of law, after we had recognized them, after they had established their ability to maintain themselves, we would be under obligation to destroy that government? Are not the cases parallel?

Mr. GRAY. I think the Senator misunderstood my position. If he will allow me, my position is, and I think it is that of most of those who have examined the records, the facts, and papers sent us by the President, that where a government has been acknowledged as a *de facto* government by a diplomatic representative, and there is reason to believe that the fact of its existence is due to the active interference of our own Government, there is an obligation resting on us, or on the Executive, or on the Government in some of its branches, to inform itself whether that be a fact or not; that it owes it not only to the government which has been supplanted, but it owes it to its own self-respect and the good name and fame of its own people, in order that it may not be placed in the great family of nations as an individual nation seeking to aggrandize itself at the expense of international morality.

Mr. TELLER. Mr. President—

Mr. GRAY. If the Senator will allow me—I will not interrupt him again—it is pertinent to the supposititious case he puts in regard to Canada to read now the language of Jackson, in his message in 1836, in regard to the recognition of Texas.

Mr. TELLER. I remember it very well.

Mr. GRAY. He says:

This last circumstance—

That is, the fact that Texas was seeking annexation to the United States—

This last circumstance is a matter of peculiar delicacy, and forces upon us considerations of the gravest character. The title of Texas to the territory she claims is identified with her independence; she asks us to acknowledge that title to the territory, with an avowed design to treat immediately of its transfer to the United States. It becomes us to beware of a too early movement, as it might subject us, however unjustly, to the imputation of seeking to establish the claim of our neighbors to a territory, with a view to its subsequent acquisition by ourselves. Prudence, therefore, seems to dictate that we should still stand aloof and maintain our present attitude—for a longer period.

Mr. TELLER. That was a matter undoubtedly for the consideration of the late Administration, but whether they did consider it or not I do not know. The fact that the islands were asking to be incorporated in the United States might have made, as stated in the case of Texas, a somewhat delicate case. I am speaking of what has been accomplished. I did not intend to discuss that question and should not have done so, except for the questions that have been put to me, for I laid down what I think



is a general principle, which can not be controverted, that we do not look into the character of the proceedings to inaugurate and establish a government, but to the fact of its establishment. How was the Government of the United States established originally? By the aid of France. France sent over here an army hostile to Great Britain, in violation of its former relations to Great Britain, and when we succeeded France recognized our independence. Suppose afterwards the next King who came in, who was hostile to that action, should have said, "That was all wrong; you ought not to have gone to war with Great Britain to assist the United States. That was a great crime against our relations to Great Britain, and we withdraw it." The proposition is too absurd to admit of discussion.

Now, I want to challenge the statement of the Senator from Delaware when he said that we recognized this as a *de facto* government. We did no such thing. There is no distinction made by our Government, or by France, or England, or Germany, or any other government between the recognition of this Government and the recognition of the other. They made haste to recognize it because under the laws of nations when the power there calling itself the government was able to maintain itself it became a government for all purposes. There was an obligation in the law of nations then to recognize it, founded upon the principle that every nation has a right to establish its own government, and that no other nation has a right to establish it.

And do Senators talk of noninterventionists, and tell us that we must not get into entangling alliances by annexation, and talk about the Government of the United States being compelled to put back a government that has been absolutely destroyed and wiped out; that we owe an obligation to a government that has become extinct, certainly extinct by the consent of the people of the country, who at least acquiesced in the acts, whether they be criminal acts or otherwise, that brought the present government into existence?

Let me say to the Senator from Delaware that if he votes for the resolution he abandons that theory. It is declared in the resolution that comes here with his approval that we are not under moral obligations to put the Queen back—

Having been duly recognized, the highest international interests require that it shall pursue its own line of policy.

There is a declaration that we are not under obligations to do what the Senator has declared we are under obligations to do, but for which, I repeat, he can find no support in international law.

Mr. President, I was dealing with the question whether in our policies and traditions we had been opposed to the acquisition of territory, and I cited the fact that we took in Texas and brought upon ourselves a war which every man who voted for the admission of Texas knew was inevitable. Every man and every boy who clapped his hands in recognition of that annexation knew it was almost certain that a war would follow; and yet we were ready to take upon ourselves all those burdens, not for a sentiment, but for the benefit that we would derive by having under our flag more land and more country and because we would add to the glory and strength of the American nation.

Then when the war with Mexico was over, we took in from Mexico a magnificent territory. True to one of the principles of the Government from the beginning, that we should acquire land by purchase and not by conquest, when we had Mexico where we could have compelled her to accede to us just as much of her territory as we demanded, with a generosity that is praiseworthy we said, "We will pay you for this land," and we did pay for it. Later, when we found that our line was not exactly where we wanted it with Mexico, we added \$10,000,000 more for the purchase of a little strip known as the Gadsden purchase, south of the Gila River, in Arizona, that we might make our line a little more ship-shape, and secure in that section territory enough to ultimately make a State of the Territory of Arizona.

Mr. President, I wish to state here as a fact that there is no time in the history of the Democratic party when it has been opposed to the annexation of territory unless it is since 1892. In 1843, with a quasi-Democrat at the head of the Government, the Administration was making every effort it could to attach these islands to the United States. I do not know that I can charge that Mr. Tyler was enough of a Democrat to say that that proves what the Democratic policy has been, but the subsequent conduct in connection with these islands and other islands will bear me out in saying that it was the Democratic policy to secure the Hawaiian Islands. The Secretary of State said in 1842 that while the Government did not want to do anything unfair toward those islands and we wished the people to come to us when they wanted to be incorporated in the United States, it was most desirable that those islands should belong to us. For fear that I will not state it as strongly as he did, I will call attention to what he said:

It seems doubtful—

This is the Secretary of State to Mr. Everett, our minister to England, on the 13th of June, 1843—

It seems doubtful whether even the undisputed possession of the Oregon territory and the use of the Columbia River or indeed anything short of the acquisition of California (if that were possible) would be sufficient indemnity to us for the loss of these harbors.

When he spoke of California, he added in parenthesis the words "if that were possible." Then, in 1854, with a Democratic Administration we find the Government of the United States taking active steps to secure the annexation of these islands and were willing then to pay, Mr. Marcy said, at least a million dollars for the islands. Mr. Pierce was the President of the United States. That occurred when I was in full relation with the Democratic party.

I had voted for Mr. Pierce. It was the first vote I ever cast, and I have a distinct recollection of that Administration. I have a distinct recollection of the great man who presided over the State Department, Mr. Marcy, a man whom every man in the State of New York always delighted to honor; a man we were proud of in that great State; a man who conducted the affairs of our Government as Secretary of State with a degree of ability equal to that of any other man who ever lived; a great lawyer; a statesman; a man whose patriotism and good sense were never brought in question even by his political opponents. Under Mr. Marcy not only did the Government indicate a disposition to take in those islands, but it declared in the most emphatic manner that they must come to us; and I repeat now what I said before, since that time every Secretary who has been at the head of foreign affairs has left his imprint somewhere in favor of the acquisition of the islands. Up to 1892, I will venture to say, that no man in public life would have denied the desirability of the acquisition of these islands if it could be done without difficulty.

France and England had plotted against our efforts to get the Hawaiian Islands in 1842 and in 1843 and in 1854, but at the same time they were never willing to take an open stand against us and say "you can not take them." Their plottings were confined to their influence upon the native chiefs and upon the people, and it was everywhere admitted that the United States would not allow the islands to fall into any other hands than ours, and that whenever the people were willing to come to us, we would take them. But for the accident of a change in Administration, but for the unfortunate spirit of partisanship which prevails in this country there would now, in my judgment, have been no question of the acquisition of the islands under the proffer made to us a year ago.

Now, Mr. President, I go back to the other point. I stated that the Democrats had been in favor of annexation, and they did not confine their annexation to contiguous territory. Here is a territory 2,000 miles away that they said should belong to us. Going on at the same time was an effort to take the Queen of the Antilles. Who has forgotten, who was old enough to remember those things, the excitement in this country over the proposed acquisition of Cuba? We all remember that the policy of the Democratic party was to annex not only Cuba but other portions of the West India Islands to the United States. The Secretary of State instructed the minister to England, the minister to France and the minister to Spain to take such steps as should secure to us the control of and ownership of that great island.

Mr. FRYE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Maine?

Mr. TELLER. Certainly.

Mr. FRYE. Does the Senator remember that the Democratic national convention passed a resolution as a part of its platform in favor of the annexation of Cuba to the United States, and that commissioners were appointed to see what could be done in that direction?

Mr. TELLER. I have that before me. I remember the resolution, and I can read it; I have it here in a book.

Thereupon these three ministers, Mr. Buchanan, subsequently President of the United States, Mr. Soule, and Mr. Mason, in the early part of October, 1854, met on the Continent at Ostend, and there they determined on a form for the acquisition of Cuba, and made a report to that effect. I say that proposition met with the entire approval of the Democratic party as a party.

We were to make Cuba a part of the United States, an island with a population entirely different from ours both in religion and thought touching governmental affairs. An objection was urged by a great many people that they had slavery.

I challenge contradiction from the Senators who talk about the annexation of other countries as hostile to our traditions and our interests, when I say that aside from the fact that with it it brought slavery and possibly war with Spain, there was no antagonistic sentiment in this country against the acquisition of



Cuba. It was the height of wisdom, and it indicated then that the Democratic party was looking at the general welfare of the people of the United States and their general interests. It is true that the Government might have been incited because of the African slavery question, but the acquisition of Cuba was as desirable to us then as it is now.

Mr. GRAY. Does the Senator mean to say, if I may be permitted, that the Ostend manifesto provoked no considerable opposition in the United States?

Mr. TELLER. I said aside from those two questions, nobody as I recollect or as I have been able to find in looking the matter up, which I have done to a considerable extent, objected to it, except for the reasons given. If Cuba could have been sheared of African slavery and if it could have been morally certain that the government of Spain would have acquiesced in our taking it, there would have been practically no opposition.

I do not mean to say that some parties did not object, but I am speaking now of the mass of men; the great majority of the American people were in favor of that acquisition then, as I believe they would be to-day. Buchanan, Mason, and Soule declared in the manifesto that when we should have offered Spain \$120,000,000 for it, if Spain declined it, it would be the highest duty of this Government to take it. They declared that it lay in the path of our commerce, that it lay at the mouth of our great river upon which the western commerce was bound to go, and they said we could not allow it to be held by any other nation. And, Mr. President, I say so to-day.

I want to inquire of the Senators who tell me it is contrary to the traditions and policy of this Government to acquire territory that is not contiguous if there is a member of this body who would see that great island pass into the hands of our great rival in commerce and trade, Great Britain? Spain is a small country. She makes no threat against us, and is not capable of doing us injury; but suppose Great Britain should, as we sometimes hear she proposes, attempt to buy the island; does anybody believe the American people would consent to the floating of the English flag on the island?

Suppose Germany should attempt to get it; does anybody believe the American people would allow the German flag to float over the island? Mr. President, in my judgment there would be such an uprising against it that the Government of the United States would be compelled to enter a protest; nay, more, we would be compelled to see that no great rival of ours should build forts there and command the commerce that enters that great gulf.

As the Senator from Maine [Mr. FRYE] said, when the Democratic convention met in 1856 they put in their platform a resolution declaring that it would be the duty of the next Administration to annex the island, to secure it to the United States, and so determined were these three great ministers that we should take it that they said we should count no cost; that no matter what Spain might offer to do; no matter what the allies of Spain might offer to do, if we determined to take it we should take it and not count the cost. I do not say that in that they were right, but in their desire to acquire the territory, in their appreciation of its importance to us, they were right.

If I had time I could give some reasons why that great island should belong to us, and if there were time a great many reasons could be given why this group of islands on the west, looking out upon our Pacific coast, should not be allowed to pass under the control of any other nation; and it will not. Whatever may be the feelings in these days against annexation, there is one thing morally certain, that the people of the United States will never submit that a flag hostile to us, of a power big enough and great enough to give us trouble, shall float over those islands. The commercial advantages of those islands are too great to be overlooked. We have had something of it in the public press; we have heard of it on this floor, but the half has not been told; they are islands that produce more per capita and export more per capita than any other portion of the world.

Mr. HOAR. Would it be disagreeable to the Senator to put at this point in his speech a statement of about six lines?

Mr. TELLER. Not at all. The Senator from Massachusetts can proceed.

Mr. HOAR. It is a statement by William Paterson. I do not wish to make a speech on the subject, and I would like to have the statement in the RECORD.

Mr. TELLER. Very good. I shall be glad to have it.

Mr. HOAR. I ask the Senator's leave to put in an extract from a letter of William Paterson, the projector of the Bank of England and the author of the sinking-fund system, one of the very greatest statesmen and financiers who ever lived on the face of the earth, made two hundred years ago, shortly after the discovery of the Sandwich Islands. He writes a letter discussing, among other things, the place which those islands are to hold in the world's commerce, and it contains the following sentence:

If the maritime powers of Europe will not treat for Darien the period is

not far distant when America will seize the pass. Their next move will be to hold the Sandwich Islands. Stationed thus in the middle and on the east and west sides of the New World, Americans will form the most potent and singular empire that has appeared, because it will consist not in the dominion of a part of the land of the globe but in the dominion of the whole ocean. \* \* \* Then England may be known only as Egypt is now.

This seems to me appropriate to what the Senator has been saying.

Mr. TELLER. I am very glad the Senator called my attention to the statement of Mr. Paterson.

Those islands, as I was saying, are productive. The population is 100,000 in round numbers, or less. On Saturday night I asked a gentleman who is acquainted with the islands how much the population could be increased. He said "beyond question, readily and easily at least to a half million." But it is not the great number of people that we expect to get there that interests us; it is the relation of the islands to the commerce of the world. To-day an American ship is absolutely an American tramp. It has not a place on the ocean where it can go and be at home. Of coaling stations there are practically none. There is the place for the commerce of the world to stop and coal. There is the place where all the whaling ships that go out of our ports must pass and stop and refit and refurnish. There is the point where every pound of freight that goes to Australia and the South Sea must stop.

If we build the ship canal across the Isthmus that we propose to build, and which undoubtedly will be built in the near future, possibly not under the arrangement now proposed, but under some other, what benefit will it be to us if we lose those islands? We are willing to pay \$100,000,000 for a ship canal. Those islands are indispensable for a proper use of that ship canal.

I did not intend to discuss at length the question of annexation. I am in favor of the annexation of the islands. I am in favor of the annexation of Cuba; I am in favor of the annexation of the great country lying north of us. I expect in a few years to see the American flag floating from the extreme north to the line of our sister Republics on the south. I expect to see it floating over the isles of the sea—not only these, but in the Great Gulf and in the West India seas.

Mr. President, is there anything in the organization of a republic that makes it any more difficult for it to maintain the integrity of a country with noncontiguous territory than there is under a monarchy? Does not a republic contain within itself all the powers and energies that any nation can possess for self-defense, for self-protection, for acquisition that a monarchy does? If it does not, then a monarchy possesses some advantages over us that we have never been willing to admit.

We have established one fact which was denied to a republic. It was said when this Republic was formed, and for many years afterwards, that Republics are strong in peace, but weak in war, and we were threatened for a generation or two with dissolution, owing to internecine strife.

The wise people who had not believed in a republic said, "Whenever they meet internal domestic difficulties the country will go and they will not be able to maintain themselves, and they will establish a strong government." This Republic established the fact of its ability to carry on the greatest internal war that was ever conducted on the face of the earth. We proved that republics were as strong in that direction as a monarchy, and a republic is as strong with reference to outlying territories—that, too, whether you incorporate them as a State, or incorporate them as we have Alaska and govern by direct legislation.

Mr. President, I said that I expected to see the Canadian country come into the United States. I expect to see, by their consent and with their approval, a union between the English speaking people on the north and the people of the United States. I regard that as a thing of the utmost importance to us. It is very desirable that those people who are like unto ourselves should become a part and parcel with us of this Republic. Canada to-day is not a disturbing cause with us, but when there are on that border, as there ultimately will be, twenty-five or thirty million people of our own stock and of our own race, with all the progressive character of the Anglo-Saxons, there will be difficulty. You can not maintain a line 3,000 miles long with a different revenue system on one side from that on the other without more or less friction.

If the Canadians will never choose to come to us we shall never get them, but if we so manage affairs that they can see ultimately that it is their interest to become a part of the United States, they will certainly gladly come to us. I look for the time not far distant when, as I repeat, not only that country, but other sections of the country that lie in this section of the hemisphere will be with us in governmental affairs. I do not mean by that that I want to take an inch of any territory where the people do not voluntarily come to us. I do not believe that by conquest we should take anything. We took in the Mexican territory not by conquest, but by concession, by purchase, and we



took it stripped practically of people, and those few who were there have assimilated themselves to the condition of affairs in this country. No man living doubts now the wisdom of the acquisition of Texas. No man doubts the wisdom of the acquisition of that great gold and silver-bearing region that has put into our coffers since its annexation more than two thousand million dollars of the precious metals. And nobody doubts now the wisdom of the acquisition of Alaska.

The VICE-PRESIDENT. The Senator from Colorado will please suspend. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, the title of which will be stated.

The SECRETARY. A bill (H. R. 2331) to repeal all statutes relating to supervisors of elections and special deputy marshals, and for other purposes.

Mr. GRAY. I understand the Senator from Colorado wishes to conclude and desires only a brief time. I ask unanimous consent that the unfinished business be temporarily laid aside that he may conclude his remarks.

The VICE-PRESIDENT. Is there objection? The Chair hears none.

Mr. FRYE. I should like to make a further request for unanimous consent. The purpose of the resolution being largely to quiet anxiety in the Hawaiian Islands, I ask unanimous consent that the Federal elections repeal bill be temporarily laid aside and that debate on the resolution be continued until final action is had upon it.

Mr. GRAY. Oh, no.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Maine?

Mr. HARRIS. I object.

The VICE-PRESIDENT. There is objection to the request of the Senator from Maine. The Senator from Colorado will proceed.

Mr. TELLER. I was saying that nobody doubted the wisdom of the acquisition of Alaska, and yet when we acquired Alaska there was no active opposition to it. There was a degree of quiet ridicule about it; and a great many people felt that we could afford to pay the Russian Government \$7,000,000 for the Territory because of its friendly attitude toward us heretofore. And yet very few people believed that it was a valuable purchase. But to-day everybody knows that it was a most valuable acquisition. It has paid back to the Government more than its originally cost, with fair interest on its cost.

As I have stated, I did not intend originally to be drawn into the discussion of anything except the bare question pending by a vote on this resolution with apparently an inconsistent clause, if I should be compelled to vote for it as a whole. I wanted to vote for it with an explanation so that nobody would hereafter say that I was opposed to annexation. It is probably true that the statement made in the resolution is correct, that—

It is unwise and inexpedient under existing conditions to consider at this time any project of annexation, etc.

I presume that is correctly stated. I doubt whether anything would be gained by a general discussion, or an attempt to annex the islands at the present time. I doubt whether they could be annexed, simply because of the hostility of the executive department of this Government to annexation. I do not know whether the legislative department, that would perhaps have to pass some laws to carry out the annexation if it should take place, would be friendly to it; but with the Executive against it, it is morally certain that the islands can not be annexed at this time. But there is one thing morally certain, that the policy and traditions of this country for fifty years touching the islands is not now to be changed. Those islands are to be annexed, to become our property. Whether they are to be a county in California, or ultimately to be a State, or to be treated as we may treat them, as a Territory, I do not now know and do not care to discuss, but it is morally certain that eventually they will come to us and we will throw over them the protection of our laws and our flag.

I know that it may be said and has been said that it would be a violation of the Monroe doctrine. That I deny. The Monroe doctrine merely declares that we will not tolerate any interference in affairs in this hemisphere by European powers. We have not in any manner restricted our right to interfere. When France was attempting to force upon a sister republic a government that was hostile, in opposition to the will and wishes of the great majority of the people, we indicated in the most unmistakable language our sympathy; and the great Captain of our Army, who had led it to victory, was, as everybody knows, pronounced in favor of the United States Government, not by diplomacy, but by force, putting the French out of Mexico. We should have interfered if France had not withdrawn, and we would have interfered not by diplomacy, but by war. We had

made arrangements to lend the Mexican Government money. Upon the border we had established our troops. There would have been no considerable objection in the United States among any class of people to an active, energetic onslaught upon the French in Mexico, if they had declined to retreat.

Mr. HIGGINS. If the Senator from Colorado will allow me, I will call his attention to the fact that at that time we had the strongest ironclad fleet on the waters of the globe.

Mr. TELLER. We were prepared for it, and the declaration of Mr. Seward to the French minister that the United States did then, and should continue to recognize Gen. Juarez as the constitutional executive of Mexico, drove the French out of Mexico without force.

It was recently my opportunity to go to Mexico, away down in the central part of the country. Two young Mexicans, speaking English, called my attention to the battlefield of the 5th of May, where the untried soldiers of Mexico had defeated the flower of the French army on the field; where they had demonstrated that men who fought for homes, without training, are the equals of the hired mercenaries of monarchical governments; and as they boasted of the prowess of their troops one of them said, "After all it was the declaration of your Secretary," repeating it as I stated it a moment since, "that the United States Government does now and shall continue to recognize Gen. Juarez as the constitutional executive of Mexico that drove the Frenchmen out of our country."

We have interfered. We have a right to interfere. Why should not we have the power that belongs to a great first-class power, and why should not we compose the difficulties of other sections of the hemisphere if it is to our interests to so compose them by interference?

In South America to-day there is civil war. The great Brazilian country is torn up and commerce is destroyed and lives are wasted. Does anybody deny the power of this Government to say to those people, "Now, you have gone far enough. You have disturbed the commercial world. You are destroying your civilization, and it is time for you to come to a halt?" First by diplomacy; first by arbitration; first by composing, necessarily if we can; but if that can not be done, does anybody deny the right of this Government, in the interest of humanity, in the interest of the business of the world and the race, to say, "You must put an end to this condition, or we shall compel you so to do?"

Mr. President, so far as I am concerned, I believe that the Government of the United States is a government with all the powers and prerogatives that any nation of the world ever had. I have confidence enough in the administration of public affairs, no matter who may be at the head, to believe that it is perfectly safe to trust this great Government with the composing of all the difficulties that may arise throughout the western hemisphere, and I find nothing in the Monroe doctrine, I find nothing in the traditions, I find nothing in the policy, and I find nothing in the fact that it is a republic that prevents us from so doing.

So believing, Mr. President, believing that the future of this country is to be aggressive and that acquisitions are to be made, I am not in favor of the first lines of the resolution, although to compose the difficulty now there and give those people the assurance that nobody will interfere with their government, that the Congress of the United States, to whom the President has remitted this question, will not interfere with them, I am willing to vote for the resolution as a whole if I am not able to get that provision out of it.

Mr. HIGGINS. Before the regular order is taken up, I ask what disposition will be made of the resolution on which the Senator from Colorado has just addressed the Senate?

The VICE-PRESIDENT. It goes to the Calendar under the rule.

Mr. HIGGINS. I beg leave to say that I do not feel free to vote upon the resolution before I shall submit to the Senate some remarks as to the views I entertain concerning it, and I give notice that I shall do so in the morning hour at an early day.

Mr. HOAR. Let there be unanimous consent that it shall go over until the morning hour to-morrow, as was the understanding for this morning.

Mr. HIGGINS. I ask unanimous consent that the resolution may go over until to-morrow morning.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Delaware?

Mr. HARRIS. The resolution can go to the Calendar, which is the regular course, and at such time as the Senator from Delaware or any other Senator may desire to debate it in the morning hour there is no question but that unanimous consent will be given for that purpose. Let it go on the Calendar, and I take it for granted that the Senator from Delaware will have his hour when he wants it in the morning hour.

The VICE-PRESIDENT. The resolution goes to the Calendar under the rule.



## REPEAL OF ELECTION LAWS.

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 2331) to repeal all statutes relating to supervisors of elections and special deputy marshals, and for other purposes, the pending question being on the amendment proposed by Mr. CHANDLER.

Mr. CHANDLER. Mr. President, continuing to speak upon the bill for the repeal of the national election laws, I wish to recall to the Senate the facts of the stupendous crime against free and honest suffrage which was committed in December, 1891, and January, 1892, at Albany, in the State of New York. The facts are briefly these: When the night of election arrived in November, 1891, the assembly of the State Legislature appeared to be Democratic. The apparent result of the State senate was 18 Republicans to 14 Democrats upon the face of the returns; but the Democratic party, desirous of full legislative power in the State, determined to obtain wrongful possession of the State senate, and for that purpose to change four Republican districts into four Democratic districts by false counts. The senate being 18 Republican to 14 Democratic, it was decided to make it 14 Republican to 18 Democratic.

Again, we have here simply a Democratic transposition of figures. The senate was still to be 18 to 14, but it was to be a Democratic and not a Republican senate. The four districts where the Democrats determined to count in Democratic senators were, first, the district where John H. Derby was the Republican candidate. I speak no more of that because by the decision of the supreme court they were prevented from counting out Mr. Derby. The second was the twenty-fifth, the Onondaga district, where Peck was the Republican candidate against Nicholls, the Democratic candidate. The third was the twenty-seventh, or the Steuben district, where Sherwood was the Republican candidate against Walker, and the fourth was the fifteenth, or Dutchess district, where Deane was the Republican candidate and Osborne the Democratic candidate. By wrongfully taking two senators it will be seen that the senate would be made 16 to 16, and it could then be organized Democratic by the vote of the lieutenant-governor.

By taking four of the districts the senate could be organized by a majority of four. In the twenty-fifth, or Onondaga district, the supreme court made a decision which justified the canvassing board in counting in Nicholls over Peck, but it was, I submit, an unjustifiable and cruel decision. In that district a county clerk had sent some official ballots to the wrong district with a heading upon them giving the number of another district, which was therefore erroneous. The ballots themselves were correct, the names of the candidates voted for were correct, but there was a wrong heading upon 1,283 ballots. The supreme court held that these ballots were null and void under the election law of the State of New York, and the district was canvassed by the State canvassing board. Nicholls, 18,812; Peck, 17,906; null and void, 1,288.

So that Nicholls, so far as the canvassing board was concerned, was rightfully given the certificate, although the decision was an erroneous and wicked one. It was a conclusion reached by four judges to three in the court of appeals. Four Democratic judges made the determination. Judge Rufus W. Peckham, one of the ablest and most upright judges in the State of New York, delivered a dissenting opinion, and there was also a dissenting opinion by Judge Andrews, who since that time has been by the unanimous vote of the Democratic and Republican parties of the State of New York elevated to the chief justiceship of the court of appeals. I send to the desk and ask to have read some remarks made by Judge Andrews in his dissenting opinion.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

This decision defeats the will of the majority and subverts, in the particular case, the foundation principle of republican government, and this upon a narrow, technical, harsh, and unnecessary construction of the law. In place of protecting the right of suffrage it destroys it. It takes hold of an unforeseen and accidental incident and builds upon that a forfeiture by inference and construction. It opens the way for frauds upon the suffrage wide reaching in their effects. In 1884 the electoral vote of this State was cast by electors who received a plurality of votes less than the number rejected by this election.

Mr. CHANDLER. Notwithstanding this sound doctrine, which commends itself to the good sense of every one, four judges against three decided that the 1,228 ballots were null and void, and therefore they were thrown out.

But this was the only district where the decision of the supreme court took a senator away from the Republicans, and this change of one senator from Democratic to Republican still left the senate 17 Republican to 15 Democratic. It was therefore necessary in order to organize the senate Democratic that at least one vote must be stolen, in defiance of the supreme court's decision, in order to make the senate a tie. For this purpose

there were two courses before the canvassing board. One was to count in Walker over Sherwood, and the other was to count in Osborne in Deane's district.

To be sure, Deane had died after the election, but even with his seat vacant the senate would still remain 16 to 15; therefore it was necessary that either Walker should be counted in over Sherwood, or that Osborne should be counted into the place which Mr. Deane was entitled to occupy. In the Sherwood-Walker case the court had decided that Sherwood was ineligible because he was a park commissioner, but the court had also said that it was not for the canvassing board to take notice of his ineligibility, that he appeared to be elected upon the returns, and that therefore it was the duty of the canvassing board to give him the certificate, leaving the senate to decide whether or not Walker should be seated in his place. In the Osborne-Deane case the supreme court had decided, as I stated the other day, that the decision of Judge Edwards in the court below should be affirmed, and that the canvassing board should not count the Mylod return.

The case was a desperate one, but the Democracy were desperate. The prediction of the governor of the State that the State Senate would be organized by the Democrats must be fulfilled, and therefore a conspiracy was entered into by which it was determined to count in Osborne in the Deane district. This course was determined upon, I have no doubt, in preference to counting in Walker over Sherwood, because, Deane being dead, if Osborne was counted in, there would be no opposing candidate to rise to confront him when he should make his appearance to take his seat and therefore that was the plan adopted, to count in Osborne in Deane's place and afterwards to seat Walker by the aid of Osborne's vote. At all events, whatever determined the plan, the decision was deliberately made to count in Osborne and to do it, taking all risks, defying the decision of the supreme court, and defying all proceedings for contempt of court, which are even now pending against the State canvassers.

The scheme succeeded. Fortune favored the conspirators, as it sometimes does favor men engaged in vile deeds, as well as it favors the brave. The State senate met with only 30 senators present instead of 32. The two vacancies were the one in the Sherwood-Walker district, and the other was caused because a Republican State senator, Mr. Saxton, was at home sick. Moreover the Democrats had persuaded one Edwards, an independent Republican, to vote with them. Therefore, they organized the senate, instead of by 16 to 15, as they had planned, by a vote of 17 to 13, which was the vote by which they elected Dunning clerk. Next they elected Senator Cantor president by 15 to 14, Edwards voting with the Republicans, and Cantor doubtless not voting for himself. Next they seated Walker in Sherwood's place by 16 to 14, Edwards now again voting with the Republicans. The larceny of the State senate was thus made complete and final, and the Senate stood 17 Democrats to 15 Republicans, including Edwards as a Republican, or 18 Democrats to 14 Republicans, counting Edwards as a Democrat.

The consequence of this capture by the Democratic party of the State senate, thereby giving them a majority in both branches of the Legislature, have been alluded to in the minority report. They are also stated as the third, fourth, and fifth reasons of an address issued by the Republican Club of the City of New York. I ask that those reasons be read at the desk. The document is the address of the campaign committee of the Republican Club of the City of New York.

The VICE-PRESIDENT. The Secretary will read as indicated.

The Secretary read as follows:

3. That Legislature, to perpetuate Democratic control, has caused an enumeration of the people to be taken, which is so purulent with fraud that the guardians of its mangled remains will not permit them to be subjected to a post-mortem examination.

4. It has made an apportionment which robs the rural counties of one-eighth of the whole legislative strength and bestows it upon three Democratic cities.

5. It has, by the inspectors' bill, surrendered the nonpartisan election machinery of the city of New York to the future dominion of Tammany Hall.

Mr. CHANDLER. Mr. President, this address of the campaign committee of the Republican Club of the City of New York is repeated in an article in the Republican Magazine of August, 1892, published at 110 Fifth avenue, New York, written by Mr. James A. Blanchard, in which he enlarges upon some of the direct results of the iniquity born of this successful conspiracy to capture the New York Legislature, as follows:

As to result No. 3, mentioned above, it may be said that the apparent object of the enumeration was to increase the representation in the Legislature in Democratic and to decrease it in Republican counties. Senators and members of assembly are distributed under the constitution "as nearly as may be according to the number of inhabitants, excluding aliens." The Democratic enumerators in New York and Kings County (all the enumerators throughout the State were Democrats) in their first returns increased the population by many fraudulent processes. But the fraud which broke all former records was committed after the first returns were sworn to and filed in the offices of the secretary of state and the county clerks.



These first returns were not large enough to meet the requirements by about 400,000. That increase was made by bold forgery by adding to the population of Brooklyn 26,540 and by converting 331,000 returned as aliens in the sworn returns, into 331,000 citizens by as many strokes of the pen. The proof of this gigantic fraud and forgery is shown by the returns on file in the county clerk's office in New York City. It was perpetrated by writing "C" for citizen over "A" for alien in the blank opposite the names. In the nineteenth election district of the first assembly district there are 708 such alterations. After an impudent fraud of such magnitude the pursuit of lesser frauds seems unnecessary.

Mr. President, with your permission I will ask the Secretary to read Mr. Blanchard's comment upon results Nos. 4 and 5, as contained in the article which I will send to the desk.

The VICE-PRESIDENT. Without objection the Secretary will read as requested.

The Secretary read as follows:

As to result No. 4, it may be said that the ratio of assemblymen to population adopted by the Legislature was about one member of assembly to each 50,000 of population. The single fraudulent increase above mentioned gave to the Democratic counties of New York and Kings certainly seven, and probably eight, members of assembly and two senators, to which those counties had no claim under the constitution. These of right belonged to and were improperly taken from other counties. The Legislature took good care that none should be taken from Democratic counties.

Thus, Albany County, with a population of 155,748, which was only entitled to three, was given four members of assembly, while Monroe, a Republican county, with a population of 181,230, is given only three. Without going into a detail which would occupy too much space, it may be stated as a fact, which can not be controverted, that these seven or eight members of assembly and two senators were all taken from St. Lawrence, Monroe, and other Republican counties of the interior and given to counties supposed to be surely Democratic.

As to result No. 5, it may be said that the law relating to inspectors of election in the city of New York, which was repealed by the odious inspectors' bill of the present year, provided in effect that there should be four inspectors of election in each election district, two Republican and two Democratic, and that all questions affecting the right of persons to register and vote, as well as the count, canvass, and return of votes cast, should be determined by a majority. One Republican, therefore, had to vote with the two Democrats, or one Democrat with the two Republicans on every question in order to carry it. This salutary law was passed in the legislative session of 1872, and became operative in the election of that year. It was the work of the committee of seventy which had done so much to crush the Tammany Democracy under Tweed, and was designed to prevent a repetition of the election frauds which had made New York a stench throughout the country during his régime, and it grew out of an impulse of patriotic citizens, irrespective of party, to have honest elections in the city of New York.

How well it accomplished its purpose is well known. For twenty years the elections in this city have been reasonably fair under it. No sooner had the Democratic party the power than it plotted its repeal, and enacted the present law which gives to the Democrats two inspectors and the Republicans only one, and under which a majority decides all questions as under the old law. That is to say, every question touching the qualifications of persons applying to register and vote, including the counting, canvassing, and returning the votes cast, may be decided by the two Democrats, and the protest of the Republican inspector is of no avail. Does anyone of sense doubt the purpose of the Democrats in repealing the old law and passing the new? They have not disguised their purpose, for one of them is reported to have said that it was to enable the Democrats to carry the election. Certainly they have opened the door for fraud, and opened it wide enough for thousands of fraudulent votes to enter. No more despicable piece of legislation has been enacted in the history of the State, and it remains for an outraged people to express their condemnation of it.

JAMES A. BLANCHARD.

*President of the Republican Club of New York.*

Mr. CHANDLER: Mr. President, as a further consequence of the wrongful seizure of the State senate of New York in January, 1892, and of the legislation which followed that seizure, and which has been so well described by Mr. BLANCHARD, it is possible that crime elected the present President of the United States by carrying the State of New York Democratic, as it had not been carried four years before. It is a matter of doubt, I say, whether the State could have been carried for the Cleveland electors in the fall of 1892 if it had not been for the capture of the State Legislature by the Democratic party.

The plurality for Mr. Cleveland in New York State was 45,518. By reason of the partisan legislation which has been depicted, the Cleveland plurality in the city of New York was 76,300, and the plurality in Kings County was 29,655, making for those two places, New York City and Kings County, a Cleveland plurality of 105,955. So, without the votes of those two cities, thus largely swollen by the removal of the election safeguards, which were stricken down by the legislation of a stolen Legislature, the plurality against Mr. Cleveland, outside of New York and Brooklyn, would have been 60,000, and it is not impossible that he would not have been reelected. New York State was carried by this enormous vote in New York City; Illinois was carried by an enormously swollen and fraudulent vote in the city of Chicago, and California was counted for Cleveland by a plurality of about 100.

With New York and Illinois and California Republican, as they ought to have been and would have been if there had been perfectly fair play in the elections in the fall of 1892, Harrison and Reid would have been elected President and Vice-President instead of Cleveland and Stevenson.

Mr. President, who was responsible for this stupendous crime against the suffrage? Where does the responsibility rest of counting the Mylod return, of ravishing a State senate, and of enacting partisan legislation such as has been described? I say

it rests with the Democratic party of the State of New York as a whole, with the Democrats who committed the crime and with those who, without protest, received the fruits of the crime. The receiver is as bad as the thief in the forum of morals. One faction did the stealing; the other faction, without lifting a finger to prevent the theft, accepted the fruits of the robbery.

If it is allowable to speak of individuals in this connection, I am obliged to say that there were two Democrats in the State of New York, either of whom might have prevented this great wrong. One was an official, the governor of the State, who in a moment, by a wave of his hand to the subordinate officers of that State, could have stopped the counting of the Mylod return, who might have instantly arrested this whole proceeding, but that governor had predicted the result, which he was bound to have accomplished, and he was primarily the author, and the responsible author, of this great election iniquity.

The other responsible Democrat was a private citizen practicing law in the city of New York. He had been President of the United States; he expected again to be President of the United States, but he was then engaged in the honorable occupation of a practicing lawyer, having his office in the city of New York. I hesitate not to say that one open, public, manly word from him of indignation against what was being attempted in the city of Albany, through the processes of the Democratic canvassing boards, would at once have arrested all those proceedings and have prevented the consummation of these iniquities by the small Democratic rascals who were engaged in perpetrating them. That word was never uttered. There was silence in that law office; there was silence from that candidate for the Presidency.

Why was there silence? It was because this ambitious citizen wished the State of New York to have a Democratic Legislature; he wished that the State of New York might become strongly Democratic; he expected to be renominated for the Presidency, and he wanted every preparation made which could be made for casting the electoral vote of the State of New York in behalf of his own election. Therefore, he kept quiet. He did not intend himself to do the wrong, but he was one who, while he would not himself play false, yet would wrongly win. So he occupied the position of a distinguished personage of ancient times. When Stephen was martyred, the witnesses and the actors who stoned him to death, brought his clothes and laid them down at the feet of Saul of Tarsus, "and Saul was consenting unto his death." So was this modern personage, when he expected the clothes of the witnesses and the actors to be laid at his feet, consenting to the death of free and honest suffrage in the State of New York.

There is much said about one Isaac H. Maynard as being the person upon whom condemnation and chastisement for this great wrong of counting the Mylod return should be justly visited, and who was indeed visited with heavy punishment in November, 1893, by being defeated as a judge of the court of appeals of New York by 100,000 majority, while at the same time New York State resumed its position in the Republican line by a majority of 24,000. When Isaac H. Maynard was thus defeated the distinguished citizen of New York, who had been once President, who is now President, and of whom I wish to speak in terms of respect, it has been claimed did not sympathize with Mr. Maynard nor desire his election. In order to show what the position of the President was, I ask that there may be read at the desk an article from the Buffalo Evening Times of October 31, 1893.

The VICE-PRESIDENT. The Secretary will read as requested, in the absence of objection.

The Secretary read as follows:

Cleveland for Maynard. Advises Patrick Lyons to support the Democratic ticket. Patrick Lyons, who was United States marshal for the Buffalo district under President Cleveland during his former Administration, has just returned from Washington, where he spent several hours with the President. The last words President Cleveland said to Mr. Lyons were these:

"Go home, and vote the straight Democratic ticket."

Mr. Lyons says that in the course of Mr. Cleveland's conversation with him the matter of State and Erie County politics was discussed.

With reference to the State ticket the President said:

"I hope the Democratic State ticket from Maynard down will be elected."

He spoke especially of Judge Maynard, saying that he was an able man and worthy of the support of every Democrat. He hoped that Judge Maynard would be elected. With regard to the rest of the State ticket, Mr. Cleveland thought good men had been chosen and that they ought to be and would be elected.

Democrats in Erie County, the President said, should vote the straight Democratic ticket. He was not in sympathy with those who are trying to defeat it.

As stated above, Mr. Cleveland said, when Mr. Lyons was leaving: "Go home and vote the straight Democratic ticket."

Mr. CHANDLER. Mr. President, upon that interview I leave the question where the sympathies of the President were in the battle which was made in New York last fall for honest government and fair election results, and against men who commit larcenies of election results.

Furthermore, as Mr. Cleveland waited eagerly for the proceeds



of the larceny of the New York State senate, so also did the Mugwumps and Cleveland faction of the State long to reap the grain which the other faction had sown. Did any one of the whole self-righteous crowd which pursued Mr. Maynard after a particular date, which I shall soon name, utter a word or lift a finger in order to prevent the counting of the Mylod return?

To be sure, the crimes committed were in litigation, but they were also great public facts; they were well known to the whole people of the United States; and if there had been an open, square, and public protest by the Cleveland faction against the counting of the Mylod return and against the whole series of frauds by which the State senate was being changed from Republican to Democratic, those crimes would have aroused such a popular indignation that they never would have been consummated. Yet this whole faction, every man of them, kept silent and left the Republicans of New York to fight as best they could against the frauds which were being attempted, certainly without one word of public sympathy, if indeed there was even private sympathy, in any faction of the Democratic party of New York, whether it was the Hill faction or the Mugwump faction or the Cleveland faction. If anyone will point to a single public protest against these crimes, coming from anyone in the mugwump or the Cleveland faction, I will surrender the point I am now arguing.

I have in my hand the address of the bar association of the city of New York, which has been heretofore alluded to in this debate. This attack upon Judge Maynard is authenticated by Wheeler H. Peckham, president, and by S. B. Brownell, recording secretary. It is dated March 22, 1892, and is signed as follows:

FREDERICK R. COUDERT.	EDMUND RANDOLPH ROBINSON.
JAMES C. CARTER.	JOHN L. CADWALADER.
JOHN E. PARSONS.	WILLIAM B. HORNBLLOWER.
CLIFFORD A. HAND.	ELIHU ROOT.
	ALBERT STICKNEY.

All Democrats but one (Mr. Root), and if I am correctly informed this address was written by Mr. Albert Stickney. Did any one of these gentlemen (except Mr. Root), who in March, 1893, commenced warfare upon Mr. Maynard, lift a finger against the larceny of the State senate of New York while the larceny was being perpetrated? Not one; and they never would have done so if the men who had committed the crime had been willing to bring the proceeds and lay them at the feet of Grover Cleveland. If the dominant faction in the Democratic party of the State of New York, after they had perpetrated this crime, had declared for the renomination of Mr. Cleveland for President, had determined to give him the delegation from the State of New York, or had aided in securing his nomination, not one word of protest would have been uttered from that time down to the present against the conduct of the Hill faction. On the contrary, Mr. President, I can easily imagine that they might to-day be loading the mail with testimonials as to the fitness to be an associate justice of the Supreme Court of the United States of this very same Isaac H. Maynard.

Indeed, the process of formally adopting the men who had committed this crime into the Cleveland ranks was quickly begun, and was only interrupted by certain very unpropitious and unexpected events. I will take, for illustration of the truth of what I am stating, only the case of Mr. Frederick R. Coudert and his conduct and his utterances. After the Democratic Legislature had been organized at Albany, Democratic ascendancy went on swimmingly. His Excellency, Governor Hill, became the idol of the whole Democratic party. He received a great ovation at the Kenmore, at Albany, where he gloried in his achievements. The New York Tribune of January 1, 1892, says that he boasted of—

A Democratic governor by a majority of 50,000 and the election of a Democratic Legislature which, thank Heaven, the Republican party has never been able to steal from us.

Mr. President, the governor of New York, who had originated this great wrong against fair elections and honest government, dared to invoke the blessings of Heaven upon the deed. Was the cry of "stop thief" ever uttered in a clearer case where the utterer of it had himself perpetrated the crime? Having said this, the governor of New York took the train, came to Washington, and condescended to take his seat in the United States Senate, to which he had been elected a year before.

Even the New York Times began to appreciate and rejoice in the fruits of the Mylod return. The Times of December 31, 1891, in one editorial condemns the counting of the Mylod return, and in another editorial it outlines the course of the Democracy, which, it says, "is now in full power in the State."

The Times of December 30, 1891, editorially condemns the rumored purpose of the Republican Senators to stay away from the Senate Chamber, and reprobates that intention. I ask that the Secretary may read the exact language of the Times.

The VICE-PRESIDENT. In the absence of objection the Secretary will read as requested.

The Secretary read as follows:

But it must be remembered that they have been deprived of the rights of a majority by proceedings carried out under the forms of law. There has been no violence or irregularity to afford a pretext for unusual or extra legal behavior on the part of the Republicans.

Mr. CHANDLER. On the 26th day of January, 1892, Senator HILL, after 20 days' sojourn with us in this Chamber, was called from here to New York City in order to receive another banquet in his honor, given by the Manhattan Club. On the same evening the Democratic State committee met to fix the time for the convention to elect delegates to the Chicago Democratic Presidential convention. This banquet was a great affair, and the list of the names of those attending fills columns in the New York World. The Senator then, perhaps from his three weeks' association with gentlemen on this floor, spoke more modestly than he had spoken at Albany, but still he referred to the complete control of the State of New York which the Democrats had achieved.

After Senator HILL finished, Mr. Frederick R. Coudert came upon the scene—the same Mr. Coudert, who, on the 22d day of March afterwards, signed the protest against Maynard. Here, Mr. President, lest I should be accused of exaggeration and should not be believed as to what Mr. Coudert said if I should undertake to reproduce it in my own words, I propose to let the newspapers of the city of New York speak for me, and, first, I ask the Secretary to read the report from the New York Tribune of January 27.

The VICE-PRESIDENT. The Secretary will read as requested, in the absence of objection.

The Secretary read as follows:

New York Tribune, Wednesday, January 27, 1892, page 7. Report of the Manhattan Club reception to Senator HILL:

"Referring to the occurrences of last fall, and up to the first of the year, Mr. HILL wanted his auditors to understand that he had simply done his duty to his State and his party. [Some applause.] He especially congratulated himself and his friends that the last citadel of Republicanism, the State senate, had been taken in this Empire State. Then he brazenly boasted how the enumeration bill had been placed upon the statute books of the State and had been signed by Flower. The Congress and Legislature reapportionment acts would follow, and he hoped next year to welcome a Democratic associate in the Senate.

"While Mr. HILL was speaking President Coudert, whose absence had been accounted for by several officers of the club and a number of Tammany men by a statement that he was at home sick with the grip, suddenly appeared and took his place at the table. His failure to appear sooner and assume his duties, had been accredited, according to current rumor, to his supposed fealty to Cleveland. This report had, it was said, been conveyed to him at his house, and Mr. Coudert was by some sort of pressure induced to change his mind and take part in the HILL demonstration. As soon as HILL finished speaking Mr. Coudert arose and made a speech filled with fulsome flattery of the ex-governor. He took occasion to endorse all HILL's acts and crimes in connection with the theft of the Senate."

Mr. CHANDLER. The New York Sun seems to have had discretion enough to fight shy of Mr. Coudert's speech. I read from the Sun of Wednesday, January 27:

Mr. Coudert regretted the necessity that took Senator HILL away from this State, as though the people here had not used him well. He wanted the Senator to understand, however, that a warm welcome always awaited him here.

I now ask the Secretary to read the report in the Times of this extraordinary speech of Mr. Coudert.

The VICE-PRESIDENT. The Secretary will read as requested, if there be no objection.

The Secretary read as follows:

[New York Times, Wednesday, January 27, 1892, page 1.]

REPORT OF MANHATTAN CLUB RECEPTION TO SENATOR HILL OF JANUARY 26.

Mr. HILL said:

"I rejoice with you to-night that the Democrats have carried the last citadel of the Republicans in this Empire State."

Frederic R. Coudert followed in a speech in which he said that he thought of the Manhattan Club first of all, complimented Senator HILL for capturing the Legislature, and grieved the Republican Administration a little for thinking about going to war with a great nation like Chile.

Mr. CHANDLER. I now ask that the very full account of President Coudert's speech in the New York World may be read. He was the president of the Manhattan Club, which was giving this reception.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

[New York World, Wednesday, January 27.]

PRESIDENT COUDERT COMES IN.

Senator HILL was given a hearty round of applause. In the meanwhile President Frederic R. Coudert, of the Manhattan Club, had come in in a hurry and taken his seat at the head of the table. As soon as the members saw him there were cries of "Coudert" from all parts of the room. Mr. Coudert finally arose, and after order had been restored, said:

"Senator HILL, whom you are acquainted with by reputation, if not otherwise, as having been dubbed a Democrat, which is his chief qualification, and governor of the State of New York, which comes among the other qualifications [laughter], has stated that there was to be no formal speech whatever upon this occasion. But I hurried down from Albany on a late train; things are all going wrong there since he left, except the reapportionment bill and such minor matters.

"And he tells me that there shall be no formal speeches. What then becomes of my formal speech that I have prepared? This is an occasion of



great rejoicing by the Manhattan Club, and let me say that when I stand here at this place, with which you have honored me so many years, that my first thought is of the Manhattan Club. All other matters are secondary, even the possibility of engaging poor little Chile in a bloody war, which possibly might redound to the credit of a great party.

But I am not thinking of that now. I am thinking of the effect of having Senator HILL to-night at a reception of the Manhattan Club, with applicants at our doors knocking with the traditional two hundred and fifty times for admission. But at the same time if I rejoice in seeing these hearty and intent faces about me, many of which I knew to be so genuine in their love of country as well as of party, it is not only upon the whole because the club is happy, but because I think this club ought to be, and in some measure it is, one of the great agencies for promoting real, true, solid, substantial, genuine American principles. [Applause.]

#### VERY PLEASANT WORDS FOR THE SENATOR.

"I do not agree with Senator HILL in his hopes and expectations that the Republican party will be stamped out. What will we do for business? [Laughter.] The good that he has done, and the bitter, malignant hate that he is honored with all come from his success in defeating Republican machinations. What will be left for him and for the minor stars that draw about his orbit when those enemies are crushed out of existence? We will have to split up into minor factions and fight each other for the sake of keeping up to date. [Laughter.]

"The distinguished Senator seems to be happy in his new possession. I feel some personal humiliation that he should be so contented. We all treat him kindly, with great majorities, fine receptions, that he may not forget us to-night. Let it be understood that we shall not forget him. When we have read in the papers of our friends, the enemy, that he has committed some great wrong, and that a new crime is attached to the endless catalogue of his misdoings, not only do I think a little more of him than I did before, but I wonder what good thing he has done. [Laughter.] We are not counting them any more.

"He tells us that we have a Republican Senate. If we have it is not only because the people of this State and the people represented in the Legislature are upon the whole, in a large degree Democratic, but because we were fortunate in having a man that knew no fear. He encountered greater misrepresentation, encountered and risked greater obloquy, than almost any man in the history of our State, but he did his duty, and it is largely to that fact that the Democratic party in the State is to-night in the enjoyment of its fullest rights." [Applause.]

Mr. CHANDLER. Mr. President, the foregoing accounts of this Manhattan Club banquet have been taken from partisan newspapers, although it may be a little difficult to determine what are the politics of the last three; but I now have the report of the Herald, which is not a partisan newspaper, and whose report, I think, may be trusted as on the whole the best, particularly as it is so well corroborated by all the four reports which have gone before. It is as follows.

The New York Herald of Wednesday, January 27, 1892, said:

Mr. Coudert came into the room just as Senator HILL was closing his remarks, and was quickly hustled into the president's chair and importuned for a speech. He talked for a few minutes, chiefly about Senator HILL, though he hit off sideways at the Administration for wanting to go to war with "little Chile."

"I do not agree with Senator HILL that the Republican party is to be stamped out all over the country this year," said Mr. Coudert, for what should he do for business then? Why, the good Governor HILL has done, and the glory he has achieved, and the splendid hatred he has aroused, all these came about through his opposition to the wrong principles of Republicanism. It has its uses, therefore, and what would become of us if it ceased to exist?

Whenever I read in the papers of our friend, the enemy, that Senator HILL has done another wrong, that he has added another to the long list of crimes of which he is accused, I only think a little better of him than I ever thought before, and wonder what the new good is that he has really done. If we have a Democratic Legislature now it is because we had a man for governor who knew no fear, but manfully did his duty in the face of tremendous opposition and obloquy. We thank him to-night that the Democracy is in the fullest enjoyment of its fullest rights.

Mr. President, it is perfectly apparent to a careful student of history why this fulsome eulogy was pronounced of this great New York Democrat who had planned these crimes in which Mr. Coudert rejoiced. It was because he and his associates then had hope that all the fruits of the wrongs were to be laid at the feet of Grover Cleveland, and all the machinery of crime which had been fashioned by the work of this governor of New York was to be used to elect Grover Cleveland to the Presidency; but, alack the day, the company separated in the small hours of the morning, and when they read in the early papers the accounts of Mr. Coudert's speech, they also found that, while they were thus covering Senator HILL all over with their flattery, the Democratic committee had called the Snapper convention to meet on February 22, and Mr. Coudert had only presided at the introduction of the Senator as a full-fledged New York candidate for President of the United States.

From that time, and from that time only, the Mugwumps and the Cleveland Democrats of New York began to hold up their hands in holy horror at the counting in of a State senator and the capture of the State senate by the Mylod return. It is a sight to sicken honest men to contemplate such a banquet as that of the Manhattan Club on the 26th day of January, 1892. Republicans can only despise equally the two factions, both of whom were willing to use the instrument of fraud for the purpose of fastening the pernicious influences of Democratic ascendancy upon this country.

Mr. President, I know no difference between these two wings of the Democratic party—*Tros, Tyrusque, mihi nullo discrimine agetur*. They are all election robbers alike, and the national election laws ought to be allowed to remain upon the statute

books, in order that, by some means, we may put some hindrances to the frauds which both factions eagerly unite in perpetrating whenever an important election is to be held in the city or State of New York.

Mr. HIGGINS. After thirty-two years of exclusion from power, Mr. President, the Democratic party, restored to the complete possession of the Government in all of its three branches, finds there is but one subject upon which it can agree, and that is the proposed repeal of the Federal election laws. Those laws were enacted with a double object. One was to enforce the fifteenth amendment and to secure to a newly enfranchised people the equal opportunity with all others to vote. Its other object was to secure fair and honest expressions of opinion in the election of members of the House of Representatives. The proposed repeal strikes at both of those objects.

I do not know that it is directly intended by the Democratic party to deprive the negro of the right to vote. Of course, in the main, that is the object. That right is given to him by the fifteenth amendment, and to a certain extent that amendment is self-executing. It strikes the word "white" out of every State constitution where it once was in the exclusion of the negro from voting; it puts into every State statute where it was not before that the black man has the right to vote. I observe that those who prepared the pending bill have not included within the sections of the provisions of the Revised Statutes under the head of "elective franchise" to be repealed section 2004, which says affirmatively, that—

All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding.

But while that affirmative provision of the statute is permitted to remain, no provision of the statute is permitted to remain which provides any penalty for its violation.

Mr. ALLISON. Will the Senator allow me to call his attention to the fact that the original report of the Committee on the Judiciary did include a repeal of that section?

Mr. HIGGINS. I was not aware of that.

Mr. ALLISON. The original report of the Judiciary Committee provided for a repeal of the whole chapter. I think that report was upon the bill presented by the Senator from New York [Mr. HILL].

Mr. HIGGINS. I beg to call the attention of the Senate and the country to the effect of the repeal of sections 2005 and 2006 of this title. In order to make myself clear I shall read them.

SEC. 2005. When, under the authority of the constitution or laws of any State, or the laws of any Territory, any act is required to be done as a prerequisite or qualification for voting, and by such constitution or laws persons or officers are charged with the duty of furnishing to citizens an opportunity to perform such prerequisite, or to become qualified to vote, every such person and officer shall give to all citizens of the United States the same and equal opportunity to perform such prerequisite, and to become qualified to vote.

Section 2006 imposes the usual penalties upon any officer charged with the duties specified in the preceding section who refuses or knowingly omits to give it full effect.

That section is incorporated in the Revised Statutes from the act of May 31, 1870, sections 2 and 3, to be found in the sixteenth volume of Statutes at Large at page 140.

Senators will observe that the right to vote may not only be impaired, but may be destroyed long before the voter reaches either the booth of registration or the election poll. In many of the States of this country there exists to-day as a qualification for voting the prerequisite of the payment of a tax—State, county, or municipal—and such a tax law may be enacted in all the States. It is now found only in a few.

This section was put in the Revised Statutes, and in the act of May 31, 1870, for the purpose of securing to all citizens who had been disfranchised by the fifteenth amendment the equal opportunity to qualify to vote, as against the unfair action of either State laws, or State officials acting under State laws. There have been convictions under that statute. That statute has been the great guaranty of the enforcement of the fifteenth amendment, and when it is stricken from the books it is altogether likely that you will find no provision in many of the States which will secure to citizens the equal opportunity of the right to vote, irrespective of race, color, or previous condition of servitude, and equally it will deny the fair and equal right to vote to white citizens who may happen to be of opposite politics to the officials of the State, who are intrusted with the enforcement of the State laws with regard to taxation and the collection of taxes. I commend this especially to the Senator from Illinois [Mr. PALMER], who, here in his interesting and valuable speech on this bill, has avowed himself in favor of and as a supporter of the principle that was adopted by the nation in the fifteenth amendment.



Mr. PALMER. Will the Senator from Delaware allow me to make a remark?

Mr. HIGGINS. Certainly.

Mr. PALMER. I do not believe and I make the statement in the presence of my colleague [Mr. CULLOM] that a colored man in Illinois has been, since the adoption of the fifteenth amendment, deprived unlawfully of his right to vote.

Mr. HIGGINS. In the State of Illinois?

Mr. PALMER. Yes; and hence I can respond to the reference to me by saying that in Illinois the colored people vote with as much freedom as anybody else. We have a Congressional district which is controlled by their votes, several representative districts and one or more than one senatorial district controlled by colored voters. I think my colleague will bear witness that no case has occurred in the State where a colored man has been on account of color denied the right to vote.

Mr. CULLOM. I think my colleague states substantially the truth. I think the voters of our State vote without reference to color or previous condition of servitude. If there is any fraud or corruption it does not apply more especially to the colored voters than to any other class.

Mr. HIGGINS. Mr. President, I have no idea but what the statements of the Senators from Illinois express the truth, and the whole truth, with regard to that State. I have not known in any Northern State of the existence of any feeling that would impair the absolutely free operation of the fifteenth amendment; but what will the junior Senator from Illinois say with regard to the facts and the condition of things south of Mason's and Dixon's line and the Ohio and Missouri Rivers? What is the feeling throughout that section of the country, and what is the condition of the law?

Before I notice that, however, I want to say a few words as to the scope and object of these statutes. I can not see in them anything else than the desire, the purpose, and the object to secure within the scope of their operation the ascertainment of the actual sense of the American people in voting under the act of Congress for Representatives in Congress, and, of course, in securing to the newly enfranchised race the free opportunity to vote. No other purpose than that is contained in them. I do not see in them a trace of a purpose to bring about an unfair election, an election which does not register the opinion of the people and declare it as it exists. There is about it nothing which can produce a fraudulent result or an untrue result, but simply always and everywhere to bring about that which, I commend to the Senator from Illinois, is a government by the people; that is, when their voice can be registered, and not the voice of somebody else who would either cast or count their ballots.

Not only is the object of these laws a just and good one, but it seems to me that this statute is the most innocuous, the most harmless for bad, the least open to criticism or objection, and full of everything which ought to commend itself to any Senator or to any citizen who believes that we are living and ought to live under a government by the people.

In the first place, these statutes are not of universal application; they are only applied as they are invoked. I have not taken the steps to obtain the record of the facts; they could be obtained, of course, from the Department of Justice; but it would be quite curious and interesting to note in the various elections which have been held since its adoption in how many of the districts of the United States supervisors have been asked for and in how many not. I venture to say relatively it would be in quite a small proportion. Why, Mr. President? Because there is no occasion to do it in any district where there is no apprehension of an unfair result under the State law—none whatever.

It is to be observed that these laws are aimed chiefly at cities of 20,000 population and upward on the one hand, and upon the other at those sections of the country where the vote generally, it has been charged, has been suppressed and a fair vote is not had. The State law, in the first instance, is in the least degree interfered with. The election continues to be held by the State inspectors and judges. They receive the votes, they count the votes, they make return of the votes, and they constitute the board of canvass which makes the final declaration of the vote; and in States where registration is provided, as in most of them it is now, it is the State registering officer who performs that function. In every respect the autonomy of the States is respected and, I might add, even protected.

What is it that these officials, under the Federal statute, can do? Despite all that has been said about the marshals, the principal officers under these statutes are the supervisors. Can anything be more fair than the operation of their powers and functions? In the first place they are chosen from each party, so that both parties are equally represented both in number and in fairness and in the character of appointees, for they are se-

lected and the whole machinery is under the government of the judges of the courts. It is taken away from unfair and partisan manipulations. The assurance is embedded in the statutes and in the character of the source of this authority, that it shall ever be exercised for the protection of the one party quite as much as for the protection of the other. Either party can invoke the operation of the statute, and it operates just as much against the one who does invoke as the one against whom it may be invoked.

I venture to say, Mr. President, that there stands no source of authority for any branch of power under our Government, Federal or State, confidence in which is yielded more cheerfully by the people of America than to the Federal judiciary. It is the very flower and pick of the noble profession of the law, appointed for life, pensioned after ten years of service and seventy years of age, with a liberal salary and a liberal pension, with duties relatively light, with powers the most extensive. It has stood from the foundation of the Government the desirable object of the ambition of its best and noblest citizens. To be accorded a place upon it is of the highest distinction and honor. Whatever other tribunals have been dreaded or feared, suitors all over the country have sought that jurisdiction for their protection, and it stands to-day almost the noblest monument of the creators of our Constitution. I know of no one in the whole history of this statute who has dared to say that any Federal judge has demeaned himself or acted other than fairly and justly in his administration of this law.

Mr. President, when the supervisor is appointed, what does he do? The Senator from New Hampshire [Mr. CHANDLER] was entirely within the right in saying that he was but a watcher, did nothing but watch, and had no power of judgment or discretion. He can challenge, but the challenge is not conclusive. He has a right to mark the challenge upon the list opposite the name of the voter. He watches the registration, and challenges there. He watches the election, and challenges there. He has a right to take lists of those who are registered and to verify them, and to sign his name at the bottom of any list, so that if any name should be added thereafter to it, it would be detected.

He has a right to take copies of those lists, both of those who register and of those who have voted, and all such copies and memoranda of challenge he returns to the chief supervisor, who is an officer of the court. He has a right to watch the count, and to himself count the ballots, and finally he scrutinizes the making out of the certificates of election, and has a right to watch the action of the board of canvass in finally counting the vote for members of the House of Representatives.

In addition to all this, the action of these supervisors is confined to elections of members of the House of Representatives, and in many of the States such elections are held quite distinctly and differently from those of the State officials themselves. He is there to observe, watch, and report with regard to the action of the State officials, but it is not invidious as between the parties, because each supervisor, if you please, watches the opposing party and watches his own colleague, his cosupervisor, and it is reciprocal upon both sides. Why is it that a law so just and so fair, which has contributed in such a degree to a just and fair result, should be so obnoxious to the Democratic party that it should become the first subject on which they can present a united front when the Government comes back into their hands?

With reference to marshals, they have been made a special object of attack, but as has already been pointed out by the Senator from Massachusetts [Mr. HOAR] in this matter, the marshals are merely peace officers; they are clothed with the powers which are given to the ordinary constable and peace officer, and while the marshal himself may not be taken directly from the election district, as the supervisor is, in all cases that I have ever known he is as much a peace officer of the vicinage as is the policeman of the city or the town or the county, or the State constable. It is merely giving to the Federal officer the customary power which has been given to the State officials.

Mr. PLATT. And to sheriffs.

Mr. HIGGINS. Yes, and not as much power as rests inherently in the sheriff, and in deputy sheriffs where sheriffs appoint deputies upon election day to exercise their functions in respect of the election.

I grant you, Mr. President, that the powers conveyed to the marshals by the Federal statutes are very large; and if it were the disposition of the majority of this body to amend this law, I do not know that I should object to a curtailing of the power of the marshals. For myself, as a result of the observation of the exercise of their powers for many years, I think that they amount to very little. Though clothed with much power, a police force has very little real force that is improvised suddenly from the ranks of the citizens and not made up of men specially selected and who devote their lives to that work.

But that consideration only shows that these officers whose



power is so much inveighed against really have in practice very little efficiency. Of course it is true of them under the law, as it is of the supervisors, that they are only appointed when called for.

Mr. President, it is urged against these laws that they are unconstitutional, and yet I do not know that it is seriously urged. The nearest thing to an argument against their constitutional authority is to be found in the report of the majority of the committee, which adopts the report of the majority of the committee in the other branch of Congress. It is not contended in that report that the words of section 4 of Article I of the Constitution do not in terms give authority for the regulation of the elections of Congressmen by the Congress.

The Constitution in that behalf recognizes the original power of the State to regulate the time, place, and manner of the elections of Congressmen, but provides that Congress may make or alter such regulation, except with respect to the place of holding the elections of Senators, which of course must be at the State capital, and under the direction of the State law. Congress has passed an act regulating the election of Senators under which those important elections have been constantly conducted since, and there has been no argument presented that that statute is unconstitutional. The power is given not merely to make, but to alter.

The House report adopted by the majority of the committee on the pending bill makes the argument that a majority of the original thirteen States in ratifying the Constitution did so with the conditions annexed thereto to their respective ratifications providing that amendments should be adopted to the instrument, which amendments go to the point that this power should be restricted to such an extent that the Congress could only enact such laws when the States themselves refrained from providing laws for the election of Congressmen, or by reason of rebellion or invasion Congressmen could not be elected. The argument of the report is that for this power contained in section 4 of Article I, of the Constitution, to be exercised, is a fraud upon the original States.

I think it will be admitted by any lawyer, or any one of good sense not a lawyer, that the mere proposal of an amendment to the Constitution of the United States, even though it be made at the time of the ratification by the majority of the original thirteen, did not amend thereby the Constitution. It stands as it did before. The other States have never ratified any such amendment, and of all the States, from Vermont to Wyoming and Idaho, which have been admitted to the Union since, not one has undertaken to affix any such amendment thereto.

But this question is hardly open in the forum of discussion. It has been passed upon by the Supreme Court of the United States, as has been clearly shown in the able argument of the Senator from Iowa [Mr. WILSON] on this branch of the question, and I do not propose to repeat it. The decisions of the Supreme Court of the United States in *ex parte Siebold* and in *ex parte Yarbrough* are conclusive of the question, and I do not suppose it will be seriously urged in fact that the laws are unconstitutional. But what then is the object in repealing them. We come down to the rather nebulous and indistinct reason given that these laws are in distrust of the people. That point was urged very strongly by the Senator from Missouri [Mr. VEST], who spoke on this question, and by the junior Senator from Illinois [Mr. PALMER]. The latter claimed that the machinery of the elections properly rests with the people, while Federal laws interfered with the free action of the people and in distrust of them.

As I have already said, the supervisor merely aids the State officers in procuring an honest record, and they interfere with the action of the State officers in nothing except as his presence and watch may deter the State officers from fraud.

But it is an interesting observation to me that this alleged distrust by State institutions did not originate with the framers of these statutes. Its origin is imbedded in the Constitution itself, and it is to be found in section 4 of Article I. The reasons are given at large by Mr. Madison, by Mr. Wilson of Pennsylvania, and others in the discussion as reported in the Madison papers on the framing of the Constitution in the Constitutional Convention.

The men who framed that instrument won for themselves not merely imperishable fame but that sort of gratitude which comes by the ever-recurring feeling of amazement on the part of the succeeding generations who continue to live under the instrument as they thus formed and who find the marvelous results of their prescience. This Constitution is appealed to on all hands, and by all parties, and by all classes as the guardian and security of their rights, as the acme of wisdom in forecasting the future.

Mr. President, they came to its consideration from a bitter experience of a twofold character. They had found in the struggle for independence that the Confederacy, which was the then

form of government, made the Government almost helpless. The Confederation, unable to levy taxes either by custom-house imposts or by excise, were dependent upon the States for revenue; and the States could only collect it by means of direct taxes, and they failed too often to respond. The Federal Government was without power to regulate commerce between the States. Thus as the struggle deepened, and with the resources of the country by no means exhausted, the colonies would have gone to an impotent and miserable failure had they not received the timely aid of the King of France. Seven years of experience during a period of war under that Confederation left some opinions with them. Not less impressive on their minds was the result of the five years that followed.

Unable, as I said before, to regulate commerce, to raise taxes, to provide a revenue, to discharge any of the functions of a Federal Government the Congress became an object of contempt. It was hardly able to maintain a quorum of its own members. There was no security with regard to the election of its members, or of their attendance upon the meetings of Congress. The statesmen and Congressmen of that period became acutely alive to the difficulty of maintaining the Federal Government itself. So we find in various clauses of the Constitution ample provision made that the rights of Congress could not be destroyed nor impaired in any degree by any impugning or attack upon the integrity of the elections of its members, or upon the possibility of their election. And so section 4 of Article I was embedded there in a sound and wise distrust of the States themselves; and little did Madison think that the rebellion and those invasions which he provided against in this article would be fought out as a battle ground upon his own fields of Virginia.

It does not lie with the Democratic party of the United States, standing as it does on a solid South, to say here or anywhere that the mistrust of the founders and framers of the Constitution against State action was not wise, and if the framers of these statutes to enforce those articles of the Constitution sinned they sinned in good company.

Now, Mr. President, this brings us to a consideration of the claim made by the Senators on the other side who have had interest enough in this question to vouchsafe to the Senate and to the country any opinions upon it. It brings us to the question whether the institutions of the States are subject to criticism in the way that they have acted as to the fairness of their elections either in legislation or in administration.

It is claimed here, and apparently with sincerity, by the junior Senator from Illinois, that nothing of wrong was ever done under State statute or State laws, and that if those protections to the right of suffrage are removed everything will be as it should be. I thought it quite curious, coming from him along with the avowal that, veteran Republican as he once was, he approved not merely of these statutes, but of the civil rights act; and he revived an interesting piece of history by stating that he himself was, for fifteen months, one of these Federal satraps over the State of Kentucky. He ought to have some familiarity, then, with the actual condition of things when the laws were enacted.

Do the laws of the States rest on the popular will? Are they chosen by the people of each election district? Are the people debarred from choosing their own election officers? Are they denied freedom and fairness in their elections? Are Representatives to Congress chosen only by a part of the people and not by a vote of all of those constitutionally eligible as electors?

Mr. President, this is thrashing over very old straw. It is a discussion from which all of us would be very glad to be relieved. I undertook to discuss this question quite fully when the election bill of 1890 was before the Senate, and I do not propose to go into details in this matter as I felt called upon to do at that time. I do not think the occasion or the circumstances or the state of the issue call for it.

Practically the facts and the actual condition of things are not denied. In the first place it is to be said as a matter of history and as a matter of statutory law that throughout the North the officers who hold the election and the registration for each particular poll, or precinct, or district, are chosen by the voters of that poll or district. In the South the election of the government there was by counties, and as a rule even in the olden times the election officers were appointed by a board called county commissioners, or some such designation, elected by the votes of the entire county, who appointed the election officers for the particular poll or precinct.

In my own State until recently the officers of election were always chosen by the voters at each poll, and they are still so chosen in all of the country districts of the State. Without going into an examination of the statutes, which are fully pointed out in the report of the minority of the committee, the officers of election are chosen by the States of the South as follows: The governor appoints county commissioners, who, in



turn, appoint the judges of election in the States of Maryland, South Carolina, Florida, and Louisiana. These officers are appointed by a board consisting of the governor, auditor, and secretary of state in Arkansas and Alabama; they are appointed by the lieutenant-governor and secretary of state in Mississippi, and by the Legislatures in Virginia and North Carolina, while in the six States of Georgia, Kentucky, Tennessee, West Virginia, Missouri, and Texas the officers of election are appointed by the county commissioners, who are selected by the popular vote of the county, that being the old time way, and about which I do not know that there has been any alteration or change in recent years.

Mr. ALLISON. I ask the Senator from Delaware if he will yield to me that I may move to proceed to the consideration of executive business?

The PRESIDING OFFICER (Mr. PERKINS in the Chair). Does the Senator from Delaware yield to the Senator from Iowa?

Mr. HIGGINS. I will yield.

Mr. GRAY. I hope the Senator from Iowa will not make that motion at this time.

Mr. ALLISON. I will not do so if it is specially objectionable to the senior Senator from Delaware. The Senator's colleague would prefer to go on to-morrow.

Mr. GRAY. I have no disposition, of course, to interfere with the comfort and convenience of my colleague, but so far as I am charged with the progress of this bill, I do not think that two hours a day or an hour and fifty minutes quite time enough to devote to it. I beg the Senator from Iowa to allow us to go on a little longer.

Mr. ALLISON. Perhaps after to-day we can devote more time to the bill.

Mr. GRAY. That has been a delusive hope in the past. I have heretofore given way to suggestions of that kind. However it is for the Senate to decide, not for me, but I express the hope that we may proceed further with the bill to-day.

Mr. ALLISON. I will not press the motion against the wish of the senior Senator from Delaware.

The PRESIDING OFFICER. The junior Senator from Delaware is entitled to the floor, and will proceed.

Mr. HIGGINS. Mr. President, it must be apparent that in all the States where the officers of election are appointed by a board that is in turn appointed by the governor, or by the governor with some other officials added to him or by the Legislature, it can not be claimed that it is a popular institution. It will not be urged, or even claimed, that those officers have, strictly speaking, a popular origin. It is true that the governor in such a case would be chosen by the people of the entire State, and so the Legislature (when its appointees chose the election officers) would be made up of representatives from the entire State, but as we know, in all the States in their various sections there is a large difference of political affiliation, a difference of opinion, a difference of interest, a difference of soil, climate, products, and everything that goes to make divergence in political views. That difference exists between various sections of the large States, and often in different parts of small States.

The judgment of the whole, therefore, is within the common knowledge distinct and separate from the judgment of the respective localities. You may take, if you please, the State of Pennsylvania, and you will find there a State which has given for one party, the Republican party, the phenomenal majority of 135,000 in a general election of great interest. You will find there rockribbed Democratic counties that have never wavered in their adhesion and allegiance to their party during all the continuity of its seemingly exhaustless life. Now, is this yielding to the view of the people of those counties, is it following the wish of their people that their election officers should be chosen by the governor of Pennsylvania and not by the people themselves; not merely by the people of the county, but by the people in their separate and distinct election districts?

Mr. President, popular government by State constitution and State law has been absolutely extirpated, cut up by the roots in the States that I have mentioned, making nine States of the Union. It is not my purpose now, nor is it worth while after what has been said by other Senators, to notice in detail what is set forth in the minority report, what is well known and scarcely denied, as to the operation and effect of this denial to the people of their rights—to elect and choose their own officers. I merely refer to some editorials quoted from the Richmond (Va.) Times as to the effect of this statute in that State, read here by the junior Senator from Massachusetts [Mr. LODGE] in his remarks the other day, and which I will beg permission to incorporate, without reading, in the text of my remarks:

We said yesterday, that the white people of Virginia are profoundly discontented with Democratic party management in this State, and the figures of the late election prove it to demonstration. The vote in 1889, though but an ordinary election for governor and Legislature, was 235,471, while the vote cast a few days ago in one of the most important elections ever held in the

State was only 216,941. How can this immense falling off in the popular vote be accounted for? It can be accounted for only upon the proposition that the people have lost interest in party government. This loss of interest has come on gradually during the past fifteen years, and commenced in the use of money in elections, and is now made universal through the continued use of money and in a general belief amongst the people that our elections are not fairly conducted. We are not prepared to say that our elections are dishonestly conducted. All that we can say is that there is a general belief all over the State that they are, and the recorded facts furnish only too much evidence in support of the belief. In the election of 1889 between Mahone and McKinney we saw results produced in the counties where there is a heavy negro vote that were altogether perplexing, and in the election just held are likewise results that are inexplicable.

For instance, in Norfolk City, where there is a prodigious negro vote, we find that Mahone received 1,415 votes, while Cocke received only 777. In Princess Anne, where there is a heavy negro vote, Mahone received 835 votes, while Cocke received only 112. In Norfolk County, where there is a heavy negro vote, Mahone received 1,685 votes, while Cocke received only 337. We might point out many other surprising facts if we were disposed, but we content ourselves with referring to enough to show that there is *prima facie* reason for the general distrust in the purity of our elections.

Now, we want to say, and we want to say it with the utmost solemnity and impressiveness, that the foundation stone upon which free representative government must rest is honesty and purity in elections. It is vain to talk of and hope for good government if cheating and fraud in our elections is winked at or tolerated. If we commence in fraud we must end in rottenness. If our elections are unfair they must be made fair whether it brings negro rule upon us or not. Negro rule is more endurable than a condition which must end in corrupting our people and turning them into a population of thieves, and this must result if fraud is openly practiced and winked at and condoned.

We changed to our present election law in 1884. Under the law as it existed before that time there was so little complaint of dishonesty in elections that our elections may be said to have been almost entirely pure. Our system then was an admirable one, and there was absolutely no reason for changing it if the negro population had been left out of the account. But the experience we had just emerged from under Mahone's rotten rule inspired a change in the election laws. If this change was not made so that it might be possible to stifle the negro vote, it is hard to imagine a reason for the change. What was the change? It was only in one particular, which is entirely trifling in appearance, but one which constitutes the difference between elections that have safeguards for honesty and elections that are open to fraud. Prior to 1884 the judges of the elections (those who have complete control over the ballots and ballot boxes) were appointed by the judges of the county and corporation courts, and were always removable by the judges of the courts at their own arbitrary will and pleasure. This made the judges of the courts the guardians of the ballot boxes.

There is something in the judicial office that will make a judge an honest official in spite of himself. A dishonest judge is one of the rarest birds to be found. Having this arbitrary control over the judges of the elections and the ballot boxes, the county and corporation judges compelled honesty in the elections, and for that reason we had little or no complaint of frauds in the elections.

But the change made in 1884 was to take elections from the control of the judges of the court and put them absolutely and entirely under that of an electoral board of three persons in each county and city, all three of whom may be of the same political party, the members of which board are elected by the Legislature. What is the result? The Legislature constitutes the electoral board of the partisan politicians of the counties and cities who constitute the judges of elections of such partisan politicians as will handle the ballots and ballot boxes in the way that the party's interest in the election calls for.

We do not say that this is done; we only show the opening for fraud that the system contains. All that we do say is that there is a general belief that there is fraud; that results have occurred in the negro counties that are totally inexplicable; and that the system of election is the very worst that it is possible to devise, with doors wide open for every species of rascality that it is possible to conceive of. The first thing to be done is to repeal the law constituting electoral boards that may be of partisans, and put the control of the elections back under the management of the county and corporation judges.

#### NO DISFRANCHISEMENTS.

The following letter appeared in the State on the 12th:

"To the Editor of the State:

"I have read with interest the recent discussion in the State and other papers of the need of a constitutional convention, chiefly for the purpose of changing the election laws now extant, and thus controlling the irresponsible negro vote. It seems to me that the convention is unnecessary, as by amending the existing laws touching the method of voting the same results can be obtained. For instance, the South Carolina law has been found very efficient in the experience of a number of years past. It is practically an educational qualification, providing, as it does, for separate ballot boxes for each office to be voted for and separate ballots. Each ballot box has on it the name of the office to be filled, and to vote efficiently it is necessary for the voter to vote intelligently; in short, to be able to read the ballots he casts, and the names on the boxes in which they are deposited. Certain other provisions of the law prevent the voter from being prompted or coached by those who might be better informed, and the result is substantially an educational qualification.

"Would not the passage of such a law as this be meeting the issue in a more manly and honest way than by fraudulent proceedings as have recently been brought to the attention of the public? I agree with your editorial statement that the white people of this State propose to rule it, and it seems to me that it would be better to face this issue by legal enactment rather than by what would otherwise be necessary fraud in elections or force.

"I offer this suggestion because I claim to be

"AN HONEST POLITICIAN."

We give this entire because it fully expresses a view entertained by many just and honorable men, but entertained by them, we believe, without due consideration of what is involved.

We have had the South Carolina ballot before our mind for a long time and the more we have thought on it the more we have been of opinion that it is totally indefensible from any point of view. We know very well that as it is administered it is made a machine by which ignorant negroes are deprived of their votes while ignorant white men are allowed to vote. That is, those who have charge of the ballot boxes find means of indicating to the ignorant white man the box in which his ballot should be deposited, but they leave the ignorant negro to find out the proper box as best he can, which results in his depositing the ballot in the wrong box as often as in the right one, when it is not counted at all. As the law is actually administered in South Carolina it amounts to a case of the law and its officers setting an



example of fraud, which, it seems to us, must demoralize a people as effectually as any species of fraud can.

Would the law be a wise one if it were administered impartially as applied to whites and blacks?

Passing by for the moment the question whether an educational qualification for voting should be permitted, our first remark is that an act of this sort, adopted by Virginia under present circumstances, could not be adopted because public opinion has arrived at the conclusion that an educational qualification was a wise measure. It would be adopted as a means of stifling the negro vote under the pretense of imposing a desired educational qualification. It would therefore be a false pretense—an effort to accomplish one result under the plea that we were aiming at another. We consider this almost as bad in its tendencies as any other sham that a State could attach itself to.

But, with so much of our white population illiterate, can anyone consent to a qualification of this sort? We know some white men who can not write their names, who are the peers in all the elements of manhood of any college graduates. During the war many Confederate soldiers, who could neither read nor write, were the steadiest dependencies of our commanding officers and the fortunes of the Confederacy. Shall we see these men stigmatized and put under a ban before their own comrades and associates? The Times will never consent to it while it can raise its voice in protest.

There is but one test of the rights of a citizen, and that is that the party is born or naturalized in the United States, is 21 years old, and free of crime. If he has these qualifications he is entitled to all the rights before the law that any other citizen has, and it is the beginning of a return to the odious privileges which the feudal institutions bestowed upon some men to the oppression of the masses when any departure whatever from that principle is countenanced or allowed.

In the same issue the Times says:

"The following article from the Nelson Examiner is worthy of the attention of those Democrats who have joined in the Mahone cry that elections in Virginia are not fairly conducted. This cry will soon be transferred from Richmond to Washington, and will probably be the means of causing the Senate to reject the Tucker bill to repeal all laws allowing Federal officials to supervise or conduct elections in the several States. This will be a most deplorable result of Mugwump intervention in the affairs of the Democratic party, but a result which seems now to be inevitable; for, if the election laws and elections in Virginia are what they are represented to be by the Mugwumps, the Republicans, the Populists, and all the other enemies of the Democratic party, then of course it will be the duty of the Republicans in the Senate, including the silver Senators who are Republicans, to unite in voting down Mr. TUCKER'S bill, which, as our readers know, passed the House of Representatives at the extra session of Congress recently held."

*The Dispatch.*

"The cry from Richmond referred to by the Dispatch is no doubt in part the demand of the Times that we shall have honest elections.

"If our elections are in every respect what they should be, why does the Dispatch wish a constitutional convention to alter the qualifications of suffrage? Assuming that our elections are honest, as the Dispatch does, what more can a Democratic paper wish than a continuance of these provisions of law under which we have Democratic majorities of from 40,000 to 50,000?"

"The demand, therefore, for a constitutional convention by the Dispatch must be either that it is dissatisfied with the methods or the results of the elections? Which is it?"

"As to the statement that the cry for honest elections will defeat the Tucker bill, no argument will so aid the Democrats in their efforts to repeal the Federal election laws as the fact that the people of the States respectively will not tolerate any but fair elections.

"The politician or citizen who insists upon his party's success at the sacrifice of the integrity of individual members of the party is not only very short-sighted, but the aider, abettor, and perhaps the perpetrator of offenses which must result in infamy if not revolution; but, as was said many years ago, 'in seditions bad men rise to honor,' and seditions and disturbances may be what they wish."

In the State of Mississippi the matter has gone further; a constitution has been framed there practically with the avowed purpose of the exclusion of the blacks from voting. By the provision of the State constitution it is made a qualification to vote that the voter must be able to read any section of the constitution, or, if he can not read, he must understand any section when read to him, or give a reasonable interpretation thereof, according to the judgment of the inspector. A large discretion is thus left to the inspectors there in the interpretation of the constitution, which is presumably a bar let down for the entrance of illiterate white voters, while it will be open to the judgment of inspectors to exclude black voters. The consequence is that the number of Republican votes cast at the last election amounted to little over 1,400, and Mississippi has by that means practically annulled the fifteenth amendment.

I do not intend to go into any details as to the state of legislation in my own State of Delaware. There have been certain changes of the laws made in the last three years to which I think it proper to call attention. The constitution of my State, like Florida, Tennessee, and Pennsylvania, and, until recently, Massachusetts, requires the prepayment of tax as a qualification for voters for all citizens otherwise qualified above the age of 21 years. A statute was passed in 1873, after the enactment of the fifteenth amendment, which provided that persons who were not taxed for property must pay their tax to the collector in each year, and if they failed to do so it was open to the collector to return them as delinquents, and when he returned them as delinquents the levy court commissioners, as the county commissioners are called, were required to drop the names of such persons from the assessment list and they were prohibited from permitting them to come back on the lists for a twelvemonth.

The operation of that law was so severe that in two quadrennial elections for governor and a majority of the upper branch of the Legislature, as well as the whole of the lower branch, in 1878 and in 1886, no nominations were made by the Republican party, and the election virtually went by default. In 1891, after the rejection of the Lodge election bill, the Republicans of the

State had obtained by the result of the elections of 1888 and 1890 the possession of the levy courts and the qualifying machinery and collectors in two of the counties of the State. By the election of 1890, the Democrats still having control of the Legislature, repealed the laws, thereby escaping from the effect of their operation upon themselves in two out of the three counties of State.

As a result of the elections of 1892 the Democrats obtained control of the Legislature and of all three of the levy courts and this qualifying machinery, and they reenacted these delinquent laws for two of the counties, not enacting them for the third, where the taxes are collected by a single collector; and the conditions of payment thereof are made extremely onerous. The hardship of these laws, I may add, arises out of the fact that there is a certain option or discretion allowed to the officer who collects the tax.

It is not incumbent upon him to return as delinquent a taxpayer who fails to pay his tax. If he chooses to favor the members of his own party they do not have to pay their tax until the time comes for them to vote, and no difficulty is in the way of their getting their receipt, even though the money does not come from their own pockets; but it is very hard and very harsh in its operation upon the opposing party, who are thus compelled to pay their tax two years before the election, and to go up in person to do it, the law operating exclusively upon people who do not own property. The short statement of this matter is that when these statutes would operate against the Democrats in two counties they repealed them, and when they became operative upon the Republicans they reenacted them, and that is the condition under which they now operate there.

Now, again, as I stated before, the immemorial law of our State permitted the election by the people of election officers, the inspector and judges in each election district. Each party nominated a candidate for inspector, and the defeated candidate became the inspector, or judge, of the defeated party, while the inspector who was elected chose the other judge; and thus the popular will was carried out. That continues the law, except in the city of Wilmington. The law was altered in 1883, so as to give to the members of the levy court for the county the appointment of the election officers for the city of Wilmington in its then twenty-seven election districts.

But the levy court, while charged with the functions of appointing the election officers for the districts where their own party had carried the last election and were therefore in the majority, were required to accept the nomination of the county committee for the minority party for those districts where the majority in the district had been for the party that was in the minority in the membership of the levy court. So the principle of the rule of the people in this way was practically continued; while it was not their direct choice it was the choice of the representatives of their party.

In 1891 another statute was enacted of most excellent provisions. It authorized a department of elections to divide the city—all this is confined to the city of Wilmington—into districts of not in excess of 300 voters in number, nor less than 100, and to divide them as nearly as might be equally between the two parties in each ward. That is, in one-half of the districts they would appoint two out of the three election officers of one party and one-half of the other party, and while the department of elections consisted of two members of one party and one of the other, the minority member of the department was charged with the naming of the election officers who represented his party in the respective districts as they had been created by the department.

There was some harshness in the way this was administered, because in a majority of the wards an odd number of districts was created and the majority in the department of elections took all the odd-numbered districts and appointed the officers, and this gave them a control of the majority of the board of county officers, and otherwise gave them power. But the important thing is that at the session of the Legislature of 1893 a statute was passed which struck out the provision giving to the minority member of the department of elections the naming of the officers of election for those districts which should be given to his own party. It is given therefore to the majority members of the department of elections to appoint not only the Democrats, but the Republican election officers of that city; and it is the first time in the history of the State that this most salutary and righteous provision has ever been abrogated. It is a fact that at the time the repealing statute was enacted it did not appear in the newspapers. The reporters did not seem to get it. It was not generally known; indeed it did not become known until the laws were published. Whether it would have been passed or not had it been made public and known is now only a matter of speculation.

But, Mr. President, it seems to me that the state of the matter



and the argument have gone clear by and passed the question as to whether the State laws operate to register the popular will in the large cities or in large sections of the country in the South where the fifteenth amendment introduced a novel element in the voters, and its operation has been so strenuously resented and resisted.

Of course it goes without saying that one of the most difficult and serious problems facing the American people is the government of large cities. I doubt not that irrespective of the question we are now considering and irrespective of parties upon this floor, the company of eminent gentlemen who have been recently gathered in Philadelphia have the good wish and sympathy of all that they may practically contribute to this, the most difficult of all problems, the government of our large cities under elements of population that there subsist, not so much, indeed, of American origin, but where we have to assimilate and deal with great bodies of people who are the product of foreign institutions and not the product of American institutions, whose children doubtless will make good American citizens, but who themselves have not got beyond the ideas of those who live by the reign and rule of force or of fraud.

Indeed the constitution of Mississippi and the attitude generally of the citizens of the South is not one of denial. They do not assert that all their citizens have equally a free right to vote. They justify the denial of suffrage. I do not say that their attitude is "What are you going to do about it?" But it is rather that they are justified, to use their own language, in preserving and protecting their own civilization. On that they have appealed to the serious judgment of their own people, and in a very large measure it has met their approval.

The serious thing about the situation in the Southern States is that it does not meet or until recently it has not met even with criticism, let alone objection or serious opposition from the leaders of opinion or the leaders of thought, whether they be in the council chambers of the nation, among the State officials, in the State Legislatures, in the courts, among the learned professions, including the clergy, the law, medicine, and the judiciary. Those who have control of its charitable institutions, those who have control of its financial concerns, the great body of the Southern people led by their trusted and chosen leaders, represented in this body and in the other branch of Congress by their trusted and chosen leaders, have all felt that they were justified by a broad measure of conduct in meeting what they felt was unjustified on the part of the whole country in the enactment of the fifteenth amendment and of these statutes in part to enforce it.

Mr. President, the time has gone by for the North to consider whether they were wrong or right, except so far as they and the Southern Republicans, whom I represent, stand here to say that they believe the attitude of the South in this behalf is all wrong and has been wrong from the start; that it can lead to no good, but only to what is essentially and inherently a misfortune for all that section of country. But the interest in and the life of this question were largely extracted and taken out from it when by Republican votes upon this floor a Senate, in its majority Republican, defeated the elections bill of 1890, and I say that despite the fact that that measure made some additions, in some respects quite considerable additions to the power and force of the present statutes.

Nay, more, even before that time the Republican party to my mind had largely abandoned its attitude towards the South, when the Senate with a Republican majority on this floor deliberately voted against the bill providing for the aid of education in the Southern States from the Federal Treasury, even though a large representation upon the other side of this Chamber voted for the measure. Very largely the Republican party denied to the nation its functions of control of free elections in the Southern States as well as in the North when by the defeat of the education bill it refused to share in the burden which it had put upon the South in the enactment of negro suffrage against the will of the white citizens and property owners of the South.

Mr. President, this has ceased to be as much a Northern question as it has become a Southern question. It has become a question irrespective of localities, and indeed it is to be judged not by its righteousness or its wickedness; it is rather to be judged by its fruits. Under the operation of these laws and growing out of this sentiment of the white citizens of the South every Southern State has become solid. More than that, the Democratic party has come into control of the National Government, while, if you except the States of West Virginia, of Kentucky, and of Missouri, I do not know that it will be claimed that there is an absolutely free and fair election in any of the Southern States. Northern support of Southern methods has passed beyond the point of merely criticising, and has reached the stage of acquiescence.

With these laws and their results staring them in the face there are Democratic governors in the States of New York, New

Jersey, Indiana, Illinois, and Wisconsin, while all those States are represented on this floor in whole or in part by Democratic Senators, and in part Kansas, South Dakota, and California are so represented.

The Mugwump contingent has realized a part of its dream as well. Apostates to the Republican faith who abandoned their party, who abandoned the negro after first sharing in the enfranchisement of him, who abandoned the Southern Republicans after having tolled them out into the open and left them naked and defenseless to their enemies—these people, represented in part by newspapers on which are members of the family of the great liberator and founded in part with money contributed for the negro, responsible before God and man and before this country for the situation that has been created in the South, turned their back on it all, became holier than thou, and all for free trade. Northern Democrats, Southern Democrats, Mugwumps, all have realized their dream. They are now in possession of the three branches of the Government, and still they are not happy.

Southern Democrats in the debate upon the silver repeal bill asked in melancholy and despair "Is this the feast that I am asked to?" when the silver outrage was perpetrated by their own President and a combination of Republicans. When the distinguished Senator from Alabama [Mr. MORGAN] denounced the silver-repeal bill as "an infamous bill," the distinguished Senator from Missouri [Mr. COCKRELL] announced that "there was not a smell of Democracy upon it."

Are the Mugwumps happy with Maynard nominated or are their opponents happy with Maynard defeated? Is the Louisiana Democrat happy when he sees his noble sugar industry sacrificed to the Moloch of free trade and wakes up to find that its existence has been created and maintained by a Republican statute and not by the influence of nature or the act of God? What shall we hear from the Democrats who stand for the new South and share in the hopes that have gilded their imagination from its brilliant possibilities?

Those of the Appalachian range, from West Virginia, from Eastern Kentucky, from Western Virginia, from Tennessee, from Northern Georgia, and Northern Alabama, as well as Louisiana, the representatives whom you, yourself, sir, addressed in fitting terms lately on this very topic in the capital of one of the Southern States, the people who are anxious for new capital to flow in that they may build up the new life, instinct with new hope, develop the dormant resources of that splendid country, ready to make another Pennsylvania out of all that mountain range, no longer to let its unparalleled water power go unvexed to the sea, ready to give to every Southern youth something besides the dry husks of a profession which holds out no possibility of promise, ready to give to households comfort if not wealth, everything upon which Atlanta and Chattanooga and every booming Southern city have grown up—all these people find as a result of the realizing of their dreams is a Democratic national Administration through the operation of a solid South.

Mr. President, the end remains to be seen. The serious Southerner, stripped for the battle of life, the new South, the young South find themselves in the remorseless grip of the Calhounist, the Mugwump, and the free-trade doctrinaire. Sir, at his extremity they gloated. "Is sugar to be destroyed," says the Representative of Louisiana? "Oh, my dear sir, it is but an exotic. It is one of those damnable things that ought to be destroyed. It has been kept up by the taxing of the American people. It must go. Its throat must be cut from ear to ear, and if it has blood it should redden the Mississippi as it flows to the sea. Coal, iron, all are to be offered up on this altar, and the splendid industries that have been developed at Birmingham and Chattanooga and elsewhere in the South are all to be closed out. They find themselves in the ever tightening grasp of this anaconda coil which has been the instrumentality of their own creation.

Before even that came there were signs in the South of the coming time in the Populist movement. I think many of their ideas are delusions. I think the paternalism that they would permit is unwise. I think that men who thus would widen the sphere of the Federal Government and of the State government and carry it in an assumed wisdom in all the concerns of private life make but an unnatural and monstrous union with the Democratic party of Jefferson, the party that believed that those people were best governed who were least governed, and that most of all that principle should be applied in the administration of the Constitution of the United States. But whatever may be their views, Southern whites who would not go to the Republican party broke out and broke loose in the Populist agitation, and so they made their campaign recently in Virginia when the distinguished Senator from Nebraska [Mr. ALLEN] who belongs to that persuasion went over there and gave them the benefit of his views and arguments upon the stump. I wonder if they think—



Mr. ALLEN. Will the Senator from Delaware yield to me for a moment?

Mr. HIGGINS. Certainly.

Mr. ALLEN. It occurs to me that I heard the Senator say that the Populist party, to which I have the honor to belong, is the advocate of paternalism. I should be pleased to have the Senator from Delaware amplify that assertion a little and to point out wherein the party advocates paternalism.

Mr. HIGGINS. I shall be glad to do so at some future time, but just at this time I will have to assume that I am correct, and if I am not I will owe the *amende honorable* to the Senator when that question can be properly discussed. But whatever may be the views of his party, whether they are of paternalism or not, certain it is they were not Republicans. The movement in Virginia rose, and the Senator from Nebraska went over there and gave them the benefit of his sturdy blows upon the stump. But were his speeches there in irony, or is his speech here in favor of the repeal of these laws in irony of those people?

Go to the Richmond press and see what it says about the fairness of that election, and then inquire of the Populists of Virginia whether they will approve of the attitude of the Senator from Nebraska as a representative of their party in reference to the pending bill on the floor of the Senate. Take it in Alabama, where, according to the claim of the Kolb or Jeffersonian Democrats, who I think are practically members of the Populist party, they carried the State of Alabama by something over 30,000 or 40,000 votes, while they claim that the majorities by which those votes were overcome in the white counties of the State were the votes that were counted in the counties where there were negro majorities, and that thus the Democratic party succeeded in the State of Alabama despite the white vote and by means of the counties where the black population was dense and the votes counted for them were overwhelming.

Mr. President, against this rule, against the rule of these methods now that it is all worked out so that everybody comes to see what they are going to get out of it, North, South, East, and West, against it all comes the low muttering and angry growl of the American people. It is a coming tempest of portentous blackness along the horizon, and it only awaits the day to strike for having been hugging a delusion. Thirty-three years of prosperity have been because of and not in spite of the protective policy. They now awake to the bitter truth.

The South is ready to break. It leads off in the Populist line. In genuine independence of thought and spirit it strikes out for what it feels to be for the good of the community, but the Populists find themselves in the iron grasp of the fetters which, as Democrats, they themselves helped to forge. In vain they cry, "These laws were made for negroes and not for white men." Even in Alabama they muster a large majority of white voters in the white counties, and in the whole State as well as in the white counties. The bitterness of irony is there. The black counties are made to return overwhelming Democratic majorities, for negroes are good to count if not to vote. This dreadful power created to suppress the negro no longer affects him.

The negro is not in it. It is the white man. The vital interests of the South, its mines, its forests, its coal and iron and lumber, its railway and transportation interests, its cotton mills and iron furnaces, its prosperous cities, its fruit, its truck, all of these things find themselves in the tightening grasp of the coil of this anaconda-like conspiracy against human rights, whose only meaning for all its interests is atrophy and industrial death.

Mr. President, the election laws will be repealed. Long used to avail against the conspiracy to suppress the ballot, they have at last ceased to be of any avail. But the end is not here. The South awakens from its dream of folly of a quarter of a century or more to a bitter reality. Amidst its stricken industries and palsied trade it will awaken to discard the philosophy of Calhoun for the philosophy of Clay, the economic relations born of slavery for the glorious possibilities that come with freedom. It will realize that both prosperity and domestic peace will come when it unites protection to American industries with a free ballot and a fair count, and when it gives to the negro confidence and kindness instead of suppression and cruelty.

Mr. CHANDLER obtained the floor.

Mr. HARRIS. Will the Senator from New Hampshire yield to me in order that I may move for an executive session?

Mr. CHANDLER. I will say to the Senator from Tennessee that I desire to occupy a few minutes while both the Senators from Delaware are here.

Mr. CALL. If the Senator from New Hampshire will allow me, I have a telegram here relating to a letter which was read by the Senator from Maine [Mr. FRYE] in connection with his speech on the pending bill, and I should like to have the telegram read and put in the RECORD.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Florida?

Mr. CHANDLER. I should not object if the Senator from Maine were here.

Mr. CALL. I suppose he would like to see the telegram.

Mr. FRYE entered the Chamber.

Mr. CHANDLER. I do not object.

The VICE-PRESIDENT. The Secretary will read the telegram.

The Secretary read as follows:

PENSACOLA, FLA., January 29, 1894.

HON. W. CALL:

Letter read by Senator FRYE on the 25th, published in Friday's RECORD, is anonymous, and therefore disreputable. It is false from beginning to end, which accounts for withholding name of writer.

A. H. DALEMBERT,  
Tax Collector of Escambia County, Fla.

Mr. CHANDLER. I wish to say with reference to the telegram introduced by the Senator from Florida as a part of the miscellaneous business to which he has been inviting the attention of the Senate, that it charges that the letter which the Senator from Maine [Mr. FRYE], whom I now see in his seat, read the other day in the Senate, was an anonymous letter. The facts do not warrant any such statement in the telegram. The Senator from Maine stated distinctly that he knew the writer of the letter, but that he withheld his name; and therefore such a letter can not be called anonymous.

Mr. President, I ask now, as the Senator from Maine has come in, that the telegram may be again read, and I ask the Senator from Florida whether he gave the name of the signer of the telegram?

Mr. CALL. The whole telegram, with the signature, was sent to the Secretary's desk.

Mr. CHANDLER. The signature was read, was it?

Mr. CALL. Oh, yes.

Mr. CHANDLER. I ask that the telegram be again read, as the Senator from Maine has entered the Chamber.

Mr. CALL. If the Senator will allow me, I only know that the person sending the telegram is a person of character and respectability, and highly esteemed in his own community. I do not know anything about the facts as stated, and do not profess to know.

Mr. CHANDLER. The Senator did know when he introduced the telegram that the Senator from Maine had stated that he well knew the writer of the letter which he introduced, and vouched for him, but withheld his name.

Mr. CALL. What has that to do with what I say?

Mr. CHANDLER. Does the Senator think that after that statement of the Senator from Maine it was justifiable to introduce a telegram charging that the letter which the Senator from Maine presented was anonymous?

Mr. CALL. Mr. President, I am a representative of the people of the State of Florida, and when a respectable man sends me a statement and asks me to have it read before the Senate, I think it proper to do so. Whether it be correct or incorrect is another question, which the Senator and those who may wish to contest it have a perfect opportunity to do. I am only performing a duty which is imposed upon me, without undertaking to say anything at all about the correctness or incorrectness of the telegram. I only state that the person sending the telegram is a man of character in the estimation of the people in the community where he lives.

Mr. CHANDLER. The Senator knew very well that the statement in the telegram that the letter introduced by the Senator from Maine was anonymous was incorrect.

Mr. CALL. Suppose I did know that, what of it? I do not know anything about it. I heard the statement of the Senator from Maine, and make no kind of imputation upon him. Suppose I did hear it. Suppose I knew he believed the statement of the writer, and that it was not an anonymous statement, is that any reason why I should not read a telegram here from a respectable citizen, that the facts stated, whether anonymous or not anonymous, were incorrect, for that is the substance of the telegram? It is a denial by a reputable citizen of the facts stated. The question of the letter being anonymous or not is a wholly immaterial one.

Mr. CHANDLER. When the Senator from Florida says "What of it?" there is nothing more to say. I ask that the telegram be again read.

The VICE-PRESIDENT. The telegram will be read, in the absence of objection.

The Secretary read as follows:

PENSACOLA, FLA., January 29, 1894.

HON. W. CALL:

Letter read by Senator FRYE on the 25th, published in Friday's RECORD, is anonymous, and therefore disreputable. It is false from beginning to end, which accounts for withholding name of writer.

A. H. DALEMBERT,  
Tax Collector of Escambia County, Fla.



Mr. FRYE. Mr. President, I have but a word to say. I do not know what that telegram means when it says "disreputable"—whether it means that it was disreputable for me to read the letter or not. The sender of the telegram says that the letter was anonymous, and he then says that I declined to give the name, the implication being, as a matter of course, that there was no name.

I have simply to say to the Senator from Florida that the letter was written to me by a friend of mine, whom I know personally, who lives in Florida, who is a business man, who has as fine a reputation as any man in the State of Florida, and whose word no one knowing him would doubt for a moment. I refrained from giving his name, because I know from an experience I have had on committees of investigation that it would not be well for him that his name should be known in Florida.

Mr. CALL. Mr. President, if I had supposed that the telegram would have been considered as casting any kind of imputation upon the Senator from Maine I should not have read it. His high character and the consideration in which he is held would vindicate him from any such possible imputation, and I do not think it is contained in the telegram.

I suppose that the person sending the telegram denies the statement of the letter which the Senator read, and I presume that he may probably feel some little degree of resentment at such statement, but I do not think there was any intention to say that the Senator from Maine had stated what was not true in stating that the letter was signed by a friend of his, and the idea did not occur to me that anybody could attach any such meaning to a telegram of this kind. I presented the telegram to give this person an opportunity of saying for that community that they deny the statements contained in the letter.

I differ with the Senator from Maine. I know that the writer of the letter which he read the other day, whoever he may be, might publish it over his own signature in the newspapers in Florida, and that he would receive no detriment from it, except that persons who entertain a different opinion might think that it was a rash and imprudent and an incorrect statement; they might attribute to him an undue degree of partisan zeal and, perhaps, some sectional prejudice, but so far as he is personally concerned and his personal safety and his business relations, I aver it will have no effect whatever upon him. I have heard such statements made in public speeches time and again by persons who asserted them in the most positive manner without any kind of trouble occurring to them.

Mr. CHANDLER. Mr. President, during the debate upon the pending bill the other day, the Senator from Delaware [Mr. GRAY] interrupted the junior Senator from Illinois [Mr. PALMER] and made a statement which I ask to have read as reported in the RECORD.

The VICE-PRESIDENT. The Secretary will read as requested, if there is no objection.

The Secretary read as follows:

Mr. GRAY. May I interrupt the Senator right there? I call the attention of the Senator from Illinois and the Senator from Massachusetts to the fact that a section of the statute provides that the marshals so appointed may arrest with or without warrant anyone engaged in violating the election laws, thus making the marshal a judge as well as the executive officer—a judge as to whether the law is violated, and clothing him with the power to arrest.

Mr. HOAR. May I inquire of the Senator from Delaware whether every constable in Delaware has not that power now?

Mr. GRAY. I am thankful to say no.

Mr. HOAR. He has in Massachusetts.

Mr. GRAY. I am thankful to say that in that respect we do not imitate Massachusetts, although I confess in a great many respects we might imitate Massachusetts to our advantage.

Mr. HOAR. Perhaps that is the reason why there are charges from Republicans as to the manner of the execution of the election laws in Delaware, and no charges from Democrats that the elections in Massachusetts are not fair.

Mr. GRAY. We have never had any complaint about it.

Mr. CHANDLER. At the time the Senator from Delaware interrupted to make that statement I was not aware, and the Senator from Massachusetts [Mr. HOAR] was not aware, that on the 15th day of May, 1891, the Legislature of Delaware passed an act providing additional constables, which authorizes the appointment of constables within the city of Wilmington, and directs them to preserve order at the polls and prevent fraudulent voting thereat, and immediately, either at the place of voting or elsewhere, and either before or after voting, to arrest and take into custody, with or without process, any person who commits or offers to commit any act or offense against the laws of the State.

Mr. HOAR. Who appoints the constables—the governor?

Mr. CHANDLER. The law provides that the constables shall be appointed by the governor on application in writing of at least fifty citizens residing in the city of Wilmington.

The Wilmington Morning News of January 23d calls the attention of the Senator from Massachusetts and myself to this statute, which, I have heard, was repealed after a trial of the

law had been had. I shall not read from the Morning News the whole article, but I do feel entitled to ask the Senator from Delaware whether, at the time he made this statement, he remembered this statute of his State, which, for a time at least, existed and was in force—a statute giving to these special constables appointed by the Democratic governor of Delaware exactly the same powers which the United States statute gave to special deputy marshals appointed under the national law—and whether, if he knew of this law, he ought not to have called it to the attention of the Senate when he interrupted the Senator from Illinois?

Mr. GRAY. Mr. President, the Senator from New Hampshire thinks he has found something very embarrassing to the Senator from Delaware, or I have no doubt he would not have taken the trouble to have gone so into this matter of the domestic institutions of the State of Delaware.

I recollect perfectly the colloquy I had with the distinguished Senator from Massachusetts, and if I were disposed to quibble about the language of that colloquy, or the language that was used by me, I might say I would still stand upon it; but I will not, of course. The Senator from Massachusetts asked me if the powers conferred by the United States statute upon deputy marshals were not also conferred upon every constable in the State of Delaware.

Mr. HOAR. By the common law, if the Senator will pardon me. What I had in mind was—

Mr. GRAY. I am talking about what the Senator said, not what he had in mind. I have no doubt what the Senator meant at all, and I say so now to him frankly.

Mr. HOAR. Will the Senator—

Mr. GRAY. The Senator will allow me to finish what I was going to say.

Mr. HOAR. Very well.

Mr. GRAY. I have no doubt of what the Senator meant, but I am talking about what the Senator said. What he asked me was whether that was not a power conferred upon every constable in the State of Delaware. I said no; and that answer is literally correct; it is not a power conferred upon every constable in the State of Delaware; but, as a matter of fact, I did not have in mind—for if I had had it in mind, I think the Senator will do me the justice to believe that I would have stated it—that there was upon the statute book of Delaware, passed at the last session but one of its Legislature, a law copied *verbatim et literatim et punctatim*, I imagine, from that provision of the United States law which provides for the appointment and defines the powers of deputy marshals.

There was a very strong feeling, and has been from the time of the enactment of these Federal laws, throughout the State, shared by a majority of the people of that State, in antagonism to these laws; and three years ago, feeling as those felt—I am not here to make any charges, but to state the fact—who were in a majority in that Legislature, that the Federal election laws were an outrage upon the elective franchise, that they were humiliating to the State, and that they worked the purpose of partisan unfairness and partisan oppression, they passed a law, which was meant particularly, I suppose, to be a copy of the Federal law, empowering a State authority, upon the same sort of application as was provided in the Federal law, to appoint State constables for the city of Wilmington, who should attend on election day, and endeavor to offset what the Legislature conceived to be the partisan unfairness which had resulted from the employment of United States marshals at the polls.

I did not have that law in mind; it was never acted on except at one election, and I did not think it was in the scope of the question of the Senator from Massachusetts. If I had I should of course have mentioned it.

But I wish to say now that, to my mind, it is not one of the least of the objections to this whole system of Federal espionage of State elections that it begets that retaliatory spirit in the State, and where it is believed by a large part of the people of the State that those laws act unfairly and oppressively, that they promote frauds at elections and do not suppress them, there will be local measures of retaliation sought in order to meet and compass this one-sided pressure produced by these laws. It seems to me a matter in which I should have the sympathy of the Senator from Massachusetts when I say it is not a wholesome condition of things that there should be brought about this collision, so to speak, between the Federal and the State law; for I am sure that the great Commonwealth of Massachusetts, with all its State pride, with all its great and glorious history, would never submit, without an attempt at correction and defense, to a law which was regarded there as this Federal law is regarded in my own little State.

I remember—and am old enough to remember—when the State of Massachusetts and her people were aroused from center to circumference in an indignant uprising against what they



supposed to be the unlawful intrusion of Federal power in that State, when deputy marshals were as unpopular, when they were engaged in executing an unpopular law, as deputy marshals are in any State in the South.

I did not intend to say more when I rose than to say frankly to the Senator from New Hampshire and to the Senator from Massachusetts that the law to which the Senator from New Hampshire has alluded was not in my mind at the time I answered the Senator from Massachusetts the question which he put me the other day. If it had been, I again beg him to believe I should have stated it.

Mr. HOAR. The question which I put to the Senator from Delaware during his colloquy with the Senator from Illinois had no reference whatever to the matter which is being talked about. I rose just now to call the attention of the Senator from Delaware to the fact that my question related to the common-law power of constables.

Mr. GRAY. That is what I supposed.

Mr. HOAR. And without intimating in the least that the Senator from Delaware did not mean to make a full and frank statement of the law of Delaware as he then understood it, I think I am not lacking in due respect to that Senator when I say I do not think his answer on that subject was correct then and I do not believe it is correct now. The Senator is a good lawyer, but I think he made that answer with some little want of reflection.

It is a common law power of the constable, and whenever a State uses the term "constable" in its legislation or in the creation of that executive office, it means *ex vi termini*, a man who is authorized to arrest a felon, whether the felony was committed in his absence or not, on reasonable ground to believe that the felony has been committed, and that the person whom he arrests committed it; and in the case of a misdemeanor he has authority to arrest a person who commits a breach of the peace or other criminal violation of the law in his sight. That is the universal authority, and that is what "constable" means. I should like to ask the Senator from Delaware if, on reflection, he is now prepared to deny that constables in Delaware and in every other State are clothed with that power?

Mr. GRAY. In answer to the Senator's question, I do not propose to travel outside of the record.

Mr. HOAR. No, that is the proposition.

Mr. GRAY. But the question which was being discussed by the Senator from Massachusetts at the time the colloquy arose between us was with regard to the power given to a United States marshal under the election laws.

Mr. HOAR. One particular branch of them, to wit, the right to arrest persons without warrant. That is all.

Mr. GRAY. One particular branch, the right to arrest anyone whom he conceives is about to commit an infraction of those laws. Now, I am sure that no constable in my State, nor do I believe that any constable exercising common law powers anywhere, would be tolerated who attempted to arrest a man because, in his judgment, the other man was about to commit a violation of the election laws.

Mr. HOAR. I wish to oppose my present opinion—perhaps I am a little rash in dealing with so learned a lawyer as the Senator from Delaware—to that proposition; but I understand, and have always believed ever since I studied the elementary principles of law, that a constable was authorized to keep the peace and was authorized to prevent a breach of the peace in his presence.

Mr. GRAY. I have not taken issue with the Senator on that.

Mr. HOAR. That is all that was up the other day, and all I had to deal with. The Senator from Delaware interposed to fortify the argument of the Senator from Illinois by pointing out to him that these United States officers had the power of arresting persons for offenses committed at the polls, violations of law, and I said: "Does not every constable in Delaware have that power?" I did not use the words "by virtue of his office," but that is what I meant, and the Senator says he so understood me at the time. The Senator then said "No," and there the thing dropped.

Now, it appears that the Senator from New Hampshire, partly instructed by an article which, I suppose, has been sent to all members of the Senate, but with a more full research, has discovered that the Democratic State of Delaware, with its Democratic Legislature, with its Democratic political leader, who is pretty likely to have been advised about such things as that in 1891, copied in terms the entire provisions, which are complained of here, of this Federal election law, enacted, first, that a person who undertook to commit a violation of the election law at the polls in the presence of an officer might be arrested, whether before or after voting; and, second, what has been also harped upon, that this law shall be put in force or not, according as a certain small number of voters shall petition.

Those two things, so wicked, so unconstitutional in spirit, if not in letter, so outrageous to the principles and sentiments of free men, according to this great Democratic majority here, are what the Democratic State of Delaware, with its Democratic Legislature and its honored senior Senator as its Democratic leader, proceeded to do in 1891.

Now, what an answer it is to get up here and say that that all came from the State's desire to protect its citizens if it could, or to resist what they deem violations of public policy. The State of Delaware did not provide that these United States officers should be punished as having, under authority of an unconstitutional law, committed an offense on public liberty; they did not provide for a process of personal replevin; they did not provide for paying the fine of the person who committed the outrage; they did not provide in the least for resisting, for obstructing, for testing, for in any way interfering with this outrageous action; but they simply provided that the State of Delaware would itself do the same thing as a means to help them out, would protect the purity of elections in Delaware. I dare say, against Republican wrongdoers, in part if not in whole, by precisely the same means. The Senator from Delaware might as well say, if he were complaining of a practice of committing forgery—I will not say the Senator from Delaware, but some person who was complaining of the practice of committing forgery or of picking pockets as prevailing in certain communities—had been met by the fact that he had just been convicted himself of forgery or picking of pockets, might say, "Oh, very well; such things are apt to lead to similar things in other people."

Here is this Democratic State of Delaware, this honored and distinguished sovereign State (as to which I wish to return all the compliments which the Senator from Delaware has paid to the Commonwealth of Massachusetts), through its sworn legislators, its sworn governor—if its great Democratic leader says he did not see that law before it was passed of course I would take that as absolute verity, and everybody would; but if he was in Delaware at the time he was not a thousand miles from where the law was passed—has put on record that, in his judgment, acting under great responsibility and under oaths of office, of all of them, that it was a wise, constitutional, and fitting thing to say in providing for United States elections as well as State elections, of the election of United States officers as well as of State officers, there should be appointed by the governor, not by the local authority, special policemen to the number of 50, or 60, or 100, or whatever the number may be, who might arrest offenders at sight; but that it was wise and expedient that the question whether that law should or should not be put in force should depend upon petitions of citizens, 50 or 60 legal voters.

Whatever authority there is in Delaware, whatever authority there is in the statesmanship of that State, whatever authority there is in the Democracy of Delaware is on the side of these national election laws in this argument.

Mr. GRAY. I do not want at this late hour to prolong this debate, but the Senator has enjoyed himself so much in the rôle of lecturing the State of Delaware that I suppose I should be loath under other circumstances to interfere with him, but I have already said that, in my opinion, there was no excuse for these laws, except that public feeling, which had been aroused by the administration and operation of the Federal election laws through a period of nearly twenty years. It had been found, or it was believed that it had been found—and for the purposes of my argument I do not want to go into the facts about that—it was believed by those persons who were concerned in the passage of that law that the marshals who were authorized to be appointed and were appointed in the cities of over 20,000 inhabitants, were as much a part of the political machine of the party then in control of the Federal Government as their county committee or as their authorized challengers at the polls.

No one ever heard of anyone but a partisan, and a partisan on one side, appointed as a deputy marshal. No one ever heard of a deputy marshal arresting anyone for a real or supposed infraction of the election laws, except one belonging to the opposite party or believed to belong to the opposite party. It was believed by the people who were concerned in the passage of this law that those deputy marshals only served the purpose of intimidating honest voters of the party opposed to them and encouraging fraud in the party to which they belonged. For the purpose of what I am saying to the Senator from Massachusetts, it does not matter whether they were right or wrong in that belief. That was the belief.

Under the influence of that belief, and having endured, as they thought, this one-sided operation of a Federal law, they determined to offset it by passing a law which would enable in the then situation of parties the appointment of a number of peace officers, who should not be all of the party to which the marshals belonged. In doing so, I submit to the Senator from Massachu-



setts, that it is unfair to say that the Legislature of Delaware, or the people of Delaware who were concerned in the passage of that law, thereby indorsed the expediency, the wisdom, the constitutionality, or the fairness of the Federal election laws. They denounced them as unfair, as unconstitutional, as working oppression and wrong, encouraging fraud, and they attempted to offset, to some degree at least, all those results by providing for the appointment under State authority of other officers, who should stand at those polls, clothed with the authority of the State, who would serve, in some degree at least, to keep within the bounds of decency the men who were selected in the community as deputy marshals of the United States.

It sprang from that necessity, as it was supposed, by those who passed that law. It was out of that exigency, and when the exigency passes, the remedy will likewise sink into desuetude. That is the feeling, the proper feeling, as I believe, of the people of Delaware responsible for the passage of those laws, and I think it will be in vain for the Senator from Massachusetts, with all his ingenuity, to construe out of that state of things an indorsement of the wisdom, expediency, or constitutionality of the Federal election laws.

Mr. HILL. May I ask the Senator from Delaware a question?

Mr. GRAY. Certainly.

Mr. HILL. I ask the Senator whether he can not assure the Senate that, when the Federal election laws have been repealed, the probability is that the Legislature of the State of Delaware will repeal their election laws?

Mr. GRAY. I have just said so. That is the universal belief.

Mr. CHANDLER. Have they not already done so?

Mr. HOAR. The Senator will correct me if I am wrong, but I have understood that this great measure for preserving the public liberties was necessary.

Mr. GRAY. Preserving the equilibrium, so to speak.

Mr. HOAR. Yes, preserving the equilibrium; but, notwithstanding the indignation and virtue of Delaware, finding that it would cost about \$16,000, they have already repealed the law on account of the expense, which I do not think would have been done in Massachusetts.

Mr. GRAY. The Senator is wrong about the law being repealed.

Mr. HOAR. I understand it has been repealed.

Mr. HARRIS. I move that the Senate proceed to the consideration of executive business.

Mr. CHANDLER. Can not the Senator withhold that motion until debate upon this little matter is finished?

Mr. HARRIS. With exceeding reluctance, he will.

Mr. CHANDLER. Mr. President, I am glad to receive the assurance from the Senator from New York and the Senator from Delaware that this Delaware law is to be repealed after the pending bill passes. I have been informed by the junior Senator from Delaware [Mr. HIGGINS] that the law had already been repealed, that it cost the State of Delaware \$16,000, that it became unpopular on that account, and therefore was repealed. But it seems to be utterly impossible to ascertain anything, reliably, about the little State of Delaware. Here we have two Senators, one of whom says the law will be repealed—he gives us that promise, importuned to do so by the Senator from New York—and the other Senator from Delaware says the law is already repealed, or it is his impression that it is repealed.

Mr. President, there need be no doubt about what I think on one point, and that is that the senior Senator from Delaware did not have this law in mind when he answered the Senator from Massachusetts. He did not have it in mind and therefore did not have any intention to conceal the fact that there was such a law upon the statute book. The high character of the Senator forbids any other conclusion; but it is remarkable, nevertheless, that the Senator from Delaware could not sit still and let the Senator from Illinois [Mr. PALMER] alone make his point against the extraordinary powers of United States marshals, that he felt obliged to help him; that he interposed in his speech, for the purpose of calling the attention of the Senator from Illinois and the Senator from Massachusetts to the fact that these marshals might make arrests without process, that every marshal was judge as to whether the law was violated, and was clothed with the power to arrest.

The Senator certainly made what he thought was an effective point against the national election laws; he certainly emphasized, as he thought, the point which the Senator from Illinois was making against the national election laws, and lo and behold, Mr. President, it turns out that the State of Delaware at that very time had upon the statute book a law which authorized in the city of Wilmington special constables to be the judges themselves as to whether the law was violated, and then to make arrests without process—that this law is on the statute books of Delaware in the very language of the national election law, from which I now read:

Section 2022 provides that—

The marshal and his general deputies, and such special deputies, shall keep the peace, and support and protect the supervisors of election in the discharge of their duties, preserve order at such places of registration and at such polls, prevent fraudulent registration and fraudulent voting thereat, or fraudulent conduct on the part of any officer of election, and immediately either at the place of registration or polling place, or elsewhere, and either before or after registering or voting, to arrest and take into custody, with or without process, any person who commits or attempts or offers to commit any of the acts or offenses prohibited herein, or who commits any offense against the laws of the United States.

Exactly that language, with only the necessary changes to make it a State statute instead of a national statute, was upon the statute book of the State of Delaware at the very time that the Senator from Delaware intervened in the debate in order to assist the Senator from Illinois.

It seems to me that it does not lie in the mouth of the Senator from Delaware to inveigh against the provisions of the national statute, when his own State, influenced by whatever motives he chooses to assign, copies upon its own statute book a similar law.

Mr. President, I criticize further the language of the Senator from Delaware the other day. The Senator from Massachusetts [Mr. HOAR] said:

Perhaps that is the reason why there are charges from Republicans as to the manner of the execution of the election laws in Delaware, and no charges from Democrats that the elections in Massachusetts are not fair.

Mr. GRAY. We have never had any complaint about it.

I do not know how the Senator limits his language used at that time, but certainly he knows that there have been repeated complaints, constant complaints, on the part of the Republicans of Delaware as to the execution of the State laws in that State.

Mr. GRAY. I never expected to see the time when any law of the State of Delaware, or of any other State in which the Republicans are in the minority, will not be complained of. I meant any just complaint or proper complaint from responsible and reputable citizens.

Mr. CHANDLER. I accept the Senator's present statement, but the language he then used does not imply that meaning. His language, as it stands, when he was in the forgetful mood which seems to have come over him at that time, implies that there never had been complaints in the State of Delaware, whether just or unjust, but the Wilmington Morning News of January 23 says that there have been constant complaints; that there never was an election held during the period from 1872 to 1891 when the protests of the Republicans were not sent up against the infamous tax assessment and collection laws of Delaware.

Mr. HARRIS. I should like to ask the Senator from New Hampshire, if he will allow me, if he expects to close the argument upon this bill and dispose of it this evening? If so, I am ready to stay with him; but if not, I shall move that the Senate proceed to the consideration of executive business.

Mr. CHANDLER. It is impossible for me not to yield to the fascinations of the Senator from Tennessee, and I therefore suspend my remarks.

#### EXECUTIVE SESSION.

Mr. HARRIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seventeen minutes spent in executive session the doors were reopened, and (at 6 o'clock p. m.) the Senate adjourned until to-morrow, Tuesday, January 30, 1894, at 12 o'clock m.

#### NOMINATIONS.

*Executive nominations received by the Senate January 29, 1894.*

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Thomas Moonlight, of Kansas, to be envoy extraordinary and minister plenipotentiary of the United States to Bolivia, vice Frederick J. Grant, resigned.

COLLECTOR OF INTERNAL REVENUE.

Edward J. Donovan, of Massachusetts, to be collector of internal revenue for the district of Massachusetts, to succeed Frank E. Orcutt, resigned.

#### CONSULS.

Edgar Battle, of Texas, to be consul of the United States at Acapulco, Mexico, vice James F. McCaskey, recalled.

Louis H. Brühl, of Texas, to be consul of the United States at Catania, Italy, to fill a vacancy.

Frank W. Roberts, of Maine, to be consul of the United States at Nogales, Mexico, to fill a vacancy.

#### COLLECTORS OF CUSTOMS.

Thomas C. Day, of Massachusetts, to be collector of customs for the district of Barnstable, in the State of Massachusetts, to succeed Franklin B. Goss, resigned.

John T. Gaffey, of California, to be collector of customs for the



district of Los Angeles, in the State of California, to succeed Henry Z. Osborne, removed.

William C. Waters, of Massachusetts, to be collector of customs for the district of Salem and Beverly, in the State of Massachusetts, to succeed Guilford Parker Bray, whose term of office has expired by limitation.

#### UNITED STATES MARSHALS.

William M. Desmond, of Iowa, to be marshal of the United States for the northern district of Iowa, vice Edward Knott, resigned.

Charles R. Pratt, of Michigan, to be marshal of the United States for the western district of Michigan, vice James R. Clarke, whose term expired January 27, 1894.

#### UNITED STATES ATTORNEYS.

Alfred P. Lyon, of Michigan, to be attorney of the United States for the eastern district of Michigan, vice Theodore F. Shepard, whose term expired January 27, 1894.

John Power, of Michigan, to be attorney of the United States for the western district of Michigan, vice Lewis G. Palmer, whose term expired January 27, 1894.

Robert U. Culberson, of Texas, to be attorney of the United States for the western district of Texas, vice Andrew J. Evans, whose term expired January 27, 1894.

#### JUDGE OF PROBATE, UTAH.

Herbert Savage, of Utah Territory, to be judge of probate in the county of Emery, in the Territory of Utah, vice Orange Seely, resigned.

#### PENSION AGENT.

Richard W. Black, of Augusta, Me., to be pension agent at Augusta, Me., vice Joseph A. Clark, term expired.

#### SURVEYOR-GENERAL.

William P. Watson, of Seattle, Wash., to be surveyor-general of Washington, vice Amos F. Shaw, to be removed.

#### RECEIVER OF PUBLIC MONEYS.

John Y. Terry, of Seattle, Wash., to be receiver of public moneys at Seattle, Wash., vice George G. Lyon, to be removed.

#### REGISTERS OF LAND OFFICES.

Thomas J. Bolton, of San Bernardino, Cal., to be register of the land office at Los Angeles, Cal., vice William H. Seamans, term expired.

William C. Bowen, of Denver, Colo., to be register of the land office at Del Norte, Colo., vice William P. Alexander, to be removed.

Louis Davis, of Tacoma, Ga., to be register of the land office at Perry, Okla., vice James E. Malone, resigned.

Raymond Miller, of Sheridan Lake, Colo., to be register of the land office at Pueblo, Colo., vice Frank E. Baldwin, term expired.

Solon B. Patrick, of Visalia, Cal., to be register of the land office at Visalia, Cal., vice Martin J. Wright, term expired.

#### POSTMASTERS.

David P. O'Leary, to be postmaster at Evanston, in the county of Cook and State of Illinois, in the place of John A. Childs, whose commission expired December 21, 1893.

Patrick Stuart, to be postmaster at La Salle, in the county of La Salle and State of Illinois, in the place of De Witt C. Harr, whose commission expired December 21, 1893.

Thomas Bowman, to be postmaster at Council Bluffs, in the county of Pottawattamie and State of Iowa, in the place of Irving M. Treynor, resigned.

Moses M. Ham, to be postmaster at Dubuque, in the county of Dubuque and State of Iowa, in the place of George Crane, whose commission expired January 8, 1894.

A. J. Salts, to be postmaster at Corning, in the county of Adams and State of Iowa, in the place of Henry G. Ankney, resigned.

Thomas J. Ch-noweth, to be postmaster at Maysville, in the county of Mason and State of Kentucky, in the place of Thomas A. Davis, whose commission expired January 9, 1894.

James M. Logan, to be postmaster at Shelbyville, in the county of Shelby and State of Kentucky, in the place of James S. Van Natta, whose commission expired January 16, 1894.

George D. Mahan, to be postmaster at Danville, in the county of Boyle and State of Kentucky, in the place of Sanford D. Vane-pelt, whose commission expired January 9, 1894.

Daniel D. Sullivan, to be postmaster at Fall River, in the county of Bristol and State of Massachusetts, in the place of John Whitehead, whose commission expired December 20, 1893.

William A. Bahlke, to be postmaster at Alma, in the county of Gratiot and State of Michigan, in the place of Townsend A. Ely, whose commission expired January 9, 1894.

John Drawe, to be postmaster at Marine City, in the county of

St. Clair and State of Michigan, in the place of Frank McElroy, whose commission expired January 9, 1894.

Alfred V. Friedrich, to be postmaster at Traverse City, in the county of Grand Traverse and State of Michigan, in the place of George W. Raff, whose commission expired December 20, 1893.

Stiles Kennedy, to be postmaster at St. Louis, in the County of Gratiot and State of Michigan, in the place of Ervin H. Ewell, whose commission expired December 20, 1893.

A. W. Blakely, to be postmaster at Rochester, in the county of Olmstead and State of Minnesota, in the place of Lyman Tondro, whose commission expired December 21, 1893.

J. Leroy Paul, to be postmaster at Brown Valley, in the county of Traverse and State of Minnesota, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1893.

Andrew O. Mayfield, to be postmaster at Lebanon, in the county of Laclede and State of Missouri, in the place of Homer A. Nelson, whose commission expired December 21, 1893.

Edward L. Proebsting, to be postmaster at Phillipsburg, in the county of Granite and State of Montana, in the place of Sarah J. Dawson, whose commission expired April 1, 1893.

William D. Rutan, to be postmaster at Newark, in the county of Essex and State of New Jersey, in the place of Edward L. Conklin, whose commission expired December 19, 1893.

Hampton J. Cheney, to be postmaster at Nashville, in the county of Davidson and State of Tennessee, in the place of Andrew W. Willis, whose commission expired January 16, 1894.

A. W. Dibrell, to be postmaster at Seguin, in the county of Guadalupe and State of Texas, in the place of John F. Gordon, whose commission expired January 9, 1894.

W. D. Neely, to be postmaster at Waxahachie, in the county of Ellis and State of Texas, in the place of Thomas W. Florer, whose commission expired December 20, 1893.

#### PROMOTION IN THE NAVY.

Commodore John Grimes Walker, to be a rear-admiral in the Navy, from January 23, 1894, vice Rear-Admiral George E. Belknap, retired.

#### TRANSFER TO SIGNAL CORPS.

First Lieut. Samuel Reber, Ninth Cavalry, to be first lieutenant, January 27, 1894, to fill the vacancy in the corps created by the appointment of Capt. Charles E. Kilbourne to be paymaster.

#### CONFIRMATION.

*Executive nomination confirmed by the Senate January 29, 1894.*

#### MARSHAL.

J. N. McKenzie, of Tennessee, to be marshal of the United States for the middle district of Tennessee.

### HOUSE OF REPRESENTATIVES.

*Monday, January 29, 1894.*

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. E. B. BAGBY.

The Journal of the proceedings of Saturday last was read and approved.

#### AMENDMENTS.

Mr. BURROWS. Mr. Speaker, there are several gentlemen having amendments that they were unable to present when the tariff bill was in Committee of the Whole. I ask unanimous consent that they may be permitted to print those amendments in the RECORD.

The SPEAKER. The gentleman from Michigan asks unanimous consent that gentlemen who have amendments that they desired to present to the tariff bill and have not had an opportunity to do so, may have leave to print them in the RECORD.

Mr. McMILLIN. I think, Mr. Speaker, that they ought to be offered in the regular way, and as it is utterly impossible to consider them, it is useless to burden the RECORD with them.

The SPEAKER. Objection is made.

Mr. REED. I submit to the gentleman from Tennessee that it is only just to show to the American people what amendments were desired to be offered. It is only just to the constituents of gentlemen to know that it was through no fault of theirs that they were unable to offer them.

Mr. MORSE. I have several that I desired to offer.

Mr. BURROWS. I desire also to suggest to the gentleman from Tennessee that I think that was done in the Fifty-first



Congress, when we were considering the act of 1890. I am quite certain it was done.

Mr. McMILLIN. As it is impossible to have them considered I think it is unnecessary to encumber the RECORD with them.

Mr. REED. Does the gentleman persist in his objection?

Mr. McMILLIN. I do.

Mr. REED. Well, then, I hope that gentlemen who have amendments they desire to offer will let us know what they were, so that the community may have an opportunity of understanding what the situation is.

Mr. PICKLER. Mr. Speaker, on Saturday I offered a substitute to the amendment of the gentleman from New York, reference to which is made on page 1704 of the RECORD. I asked unanimous consent that the reading be dispensed with. Of course I expected that the amendment would be printed in the RECORD, and I was entitled to have it printed. It seems that the Reporter understood it otherwise. I only asked that the reading be dispensed with.

The SPEAKER. Is it a pending amendment?

Mr. PICKLER. Yes, sir; I desired that the amendment be printed, of course.

The SPEAKER. Of course, if it is a pending amendment it will be printed. What is the page?

Mr. PICKLER. Seventeen hundred and four. The Clerk commenced reading the amendment, and being a long one, I asked unanimous consent that the reading be dispensed with. But, of course, I expected it would be printed.

The SPEAKER. It appears to be pending.

Mr. RICHARDSON of Tennessee. It certainly should have been printed. It may be that the Chairman of the Committee of the Whole did not do his whole duty in not directing it to be published at the time, but the gentleman simply asked to dispense with the reading of the amendment.

The SPEAKER. It will be printed in the RECORD, as it is a pending amendment.

The proposed amendment is as follows:

Amend Schedule G, agricultural products and provisions, as follows: Amend by striking out paragraph 188, page 29, and inserting the following as paragraph 188:

"188. Animals, live: Horses and mules, \$30 per head; *Provided*, That horses valued at \$150 and over shall pay a duty of 30 per cent ad valorem. Cattle, more than 1 year old, \$10 per head; 1 year old or less, \$2 per head. Hogs, \$1.50 per head. Sheep, 1 year old or more, \$1.50 per head; less than 1 year old, 75 cents per head. All other live animals, not specially provided for in this act, 20 per cent ad valorem."

Amend by striking out paragraphs 189 and 190, on page 29, and inserting the following in lieu thereof as paragraph 189:

"189. Breadstuffs and farinaceous substances: Barley, 30 cents per bushel of 48 pounds. Barley malt, 45 cents per bushel of 34 pounds. Barley, pearled, patent, or hulled, 2 cents per pound. Buckwheat, 15 cents per bushel of 48 pounds. Corn or maize, 15 cents per bushel of 56 pounds. Corn meal, 20 cents per bushel of 48 pounds. Macaroni, vermicelli, and all similar preparations, 2 cents per pound. Oats, 15 cents per bushel. Oatmeal, 1 cent per pound. Rice, cleaned, 2 cents per pound; uncleaned rice, 1 1/2 cents per pound; paddy, three-quarters of 1 cent per pound; rice flour, rice meal, and rice, broken, which will pass through a sieve known commercially as No. 12 wire sieve, one-fourth of 1 cent per pound. Rye, 10 cents per bushel. Rye flour, one-half of one cent per pound. Wheat, 25 cents per bushel. Wheat flour, 25 per cent ad valorem."

Amend line 13, page 30, paragraph 193 by striking out the word "four" and inserting the word "six," so that the paragraph when so amended shall read:

"Butter and substitutes therefor, 6 cents per pound."

Amend line 15, page 30, paragraph 194, by striking out the words "twenty-five per cent ad valorem" and insert the words "six cents per pound;" so that the paragraph when so amended shall read:

"Cheese, 6 cents per pound."

Amend line 24, page 30, paragraph 198, by striking out the word "two" and inserting the word "four;" so that the paragraph when so amended will read:

"Hay, \$4 per ton."

Amend line 7, page 31, paragraph 203, by striking out the word "ten" and inserting the word "twenty-five;" so that the paragraph when so amended shall read:

"Potatoes, 25 cents per bushel of 60 pounds."

Amend by adding to paragraph 195, page 30, the following words: "Eggs, 5 cents per dozen;" and strike eggs from free list in bill.

Amend by striking out word "two," in paragraph 224, page 34, and insert word "three," and strike out of said paragraph the word "three" and insert word "five;" so that paragraph when so amended shall read as follows:

"Poultry, 3 cents per pound, dressed, 5 cents per pound."

Amend line 12, page 31, paragraph 205, by striking out the word "twenty" and inserting the word "thirty;" so that the paragraph when so amended shall read:

"Flaxseed or linseed, poppy seed, and other oil seeds not specially provided for in this act, 30 cents per bushel of 56 pounds; but no drawback shall be allowed on oil cake made from imported seed."

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:  
To Mr. GORMAN, indefinitely, on account of an accidental injury which confines him to his room.

To Mr. MCGANN, indefinitely, on account of sickness in his family.

#### WITHDRAWAL OF PAPERS.

Mr. HARTER, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of Augustus N. Sattig.

The SPEAKER. The Clerk will call the committees for reports.

#### HAWAII.

Mr. MCCREARY of Kentucky, from the Committee on Foreign Affairs, submitted a favorable report on resolutions expressing the sense relative to Hawaiian affairs; which was referred to the House Calendar, and, with accompanying report, ordered to be printed.

Mr. BLAIR. Mr. Speaker, the gentleman from Illinois [Mr. HITT], representing the minority of the committee, is not present. I understand that a little time is desired by him in which to file the views of the minority.

Mr. MCCREARY of Kentucky. I did not hear the gentleman.

Mr. BLAIR. I say that I suggested, in the absence of the gentleman from Illinois [Mr. HITT], who is to file the views of the minority, that additional time be granted.

Mr. MCCREARY of Kentucky. I have no objection of granting say until Thursday morning. I have communicated with the gentleman from Illinois [Mr. HITT], and he said that he did not expect to file a minority report; but I am perfectly willing that leave be granted the gentleman from Illinois to file the views of the minority.

Mr. BLAIR. I hope that it will be left open, because the last communication I had with the gentleman from Illinois [Mr. HITT], which was in the form of a written communication to the committee, he desired specially that it be left open.

The SPEAKER. Without objection, then, gentlemen of the minority will have leave to file their views, and when filed they will be printed.

Mr. MCCREARY of Kentucky. Until Thursday.

The SPEAKER. Does the gentleman from Kentucky desire to limit the leave to file the views of the minority?

Mr. MCCREARY of Kentucky. I think so. I think Thursday will be long enough.

The SPEAKER. The gentleman from Kentucky asks that this right be limited until Thursday next. [After a pause.] The Chair hears no objection.

Mr. BLAIR. What is the suggestion?

The SPEAKER. The gentleman asks that the leave to file the views of the minority extend until Thursday next.

Mr. BLAIR. Very well.

#### TARIFF.

The call of committees being concluded,

The SPEAKER. The Clerk will report the special order.

The Clerk read as follows:

A bill (H. R. 4834) to reduce taxation, to provide revenue for the Government, and for other purposes.

The SPEAKER. The House will now resolve itself into Committee of the Whole for the consideration of this bill. The gentleman from Tennessee [Mr. RICHARDSON] will take the chair.

The House accordingly resolved itself into Committee of the Whole on the state of the Union (Mr. RICHARDSON of Tennessee in the chair), and resumed the consideration of the tariff bill.

Mr. McMILLIN. I move to amend the pending bill by adding at the end of section 53 (page 139, line 24) the provision which I send to the desk.

The Clerk read as follows:

SEC. 54. That from and after the 1st day of January, 1895, there shall be levied, collected, and paid annually upon the gains, profits, and income of every person residing in the United States, or any citizen of the United States residing abroad, derived in each preceding calendar year, whether derived from any kind of property, rents, interest, dividends, or salaries, or from any profession, trade, employment, or vocation carried on in the United States or elsewhere, a tax of 2 per cent on the amount so derived over and above \$1,000, and a like tax shall be levied, collected, and paid annually upon the gains, profits, and income from all property and of every business, trade, or profession carried on in the United States by persons residing without the United States, and not citizens thereof. And the tax herein provided for shall be assessed, collected, and paid upon the gains, profits, and income for the year ending the 31st day of December next preceding the time for levying, collecting, and paying said tax.

SEC. 55. That in estimating the gains, profits, and income of any person there shall be included all income derived from interest upon notes, bonds, and other securities, except such bonds of the United States as are by the law of their issuance exempt from all Federal taxation; profits realized within the year from sales of real estate purchased within the year or within two years previous to the year for which income is estimated; interest received or accrued upon all notes, bonds, mortgages, or other forms of indebtedness bearing interest, whether paid or not, if good and collectible, less the interest which has become due from said person during the year; the amount of all premium on bonds, notes, or coupons; the amount of sales of live stock, sugar, wool, butter, cheese, pork, beef, mutton, or other meats, hay, and grain, or other vegetable or other productions, being the growth or produce of the estate of such person, not including any part thereof consumed directly by the family; all other gains, profits, and income derived from any source whatever and the share of any person of the gains or profits of all companies, whether incorporated or partnership, who would be entitled to the same if divided, whether divided or otherwise, except the amount of income received from institutions or corporations whose officers, as required by law, withhold a per cent of the dividends, interest, gains, profits, and income made by such institutions, and pay the same to the officer authorized to receive the same; and except that portion of the salary or pay received for services in the civil,



military, naval, or other service of the United States, including Senators, Representatives, and Delegates in Congress, from which the tax has been deducted, and except that portion of any salary upon which the employer is required by law to, and does, withhold the tax and pays the same to the officer authorized to receive it. In computing incomes the necessary expenses actually incurred in carrying on any business, occupation, or profession may be deducted and also all interest actually due and paid within the year by such person on existing indebtedness. And in addition to \$4,000 exempt from income tax, as hereinbefore provided, all national, State, county, school, and municipal taxes, not including those assessed against local benefits, paid within the year shall be deducted from the gains, profits, or income of the person who has actually paid the same, whether such person be owner, tenant, or mortgagor; losses actually sustained during the year arising from fires, shipwreck, or incurred in trade, and not covered by insurance or otherwise, and compensated for, and debts ascertained to be worthless, but excluding all estimated depreciation of values and losses within the year on sales of real estate purchased two years previous to the year for which income is estimated: *Provided*, That no deduction shall be made for any amount paid out for new buildings, permanent improvements, or betterments, made to increase the value of any property or estate: *Provided further*, That only one deduction of \$4,000 shall be made from the aggregate income of all the members of any family, composed of one or both parents, and one or more minor children, or husband and wife: that guardians shall be allowed to make a deduction in favor of each and every ward, except that in case where two or more wards are comprised in one family, and have joint property interest, the aggregate deduction in their favor shall not exceed \$4,000: *And provided further*, That in cases where the salary or other compensation paid to any person in the employment or service of the United States shall not exceed the rate of \$4,000 per annum, or shall be by fees, or uncertain or irregular in the amount or in the time during which the same shall have accrued or been earned, such salary or other compensation shall be included in estimating the annual gains, profits, or income of the person to whom the same shall have been paid, and shall include that portion of any income or salary upon which a tax has not been paid by the employer, where the employer is required by law to pay on the excess over \$4,000.

SEC. 54. That it shall be the duty of all persons of lawful age having an income of more than \$3,500 for the taxable year computed on the basis herein prescribed, to make and render a list or return, on or before the day prescribed by law, in such form and manner as may be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, to the deputy collector of the district in which they reside, or to such officer or agent as the Commissioner of Internal Revenue may designate, of the amount of their income, gains, and profits, as aforesaid; and all guardians and trustees, executors, administrators, agents, receivers, and all persons acting in any other fiduciary capacity, shall make and render a list or return, as aforesaid, to the deputy collector of the district in which such person acting in a fiduciary capacity resides, or to such officer or agent as the Commissioner of Internal Revenue may designate, of the amount of income, gains, and profits of any minor or person for whom they act, but persons having less than \$3,500 income are not required to make such report; and the deputy collector, or officer or agent designated by the Commissioner of Internal Revenue, shall require every list or return to be verified by the oath or affirmation of the party rendering it, and may increase the amount of any list or return if he has reason to believe that the same is understated; and in case any such person having a taxable income shall neglect or refuse to make and render such list and return, or shall render a false or fraudulent list or return, it shall be the duty of the deputy collector, or officer or agent designated by the Commissioner of Internal Revenue, to make such list, according to the best information he can obtain, by the examination of such person, or his books or accounts, or any other evidence, and to add 50 per cent as a penalty to the amount of the tax due on such list in all cases of willful neglect or refusal to make and render a list or return; and in all cases of a false or fraudulent list or return having been rendered to add 100 per cent as a penalty to the amount of tax ascertained to be due, the tax and the additions thereto as a penalty to be assessed and collected in the manner provided for in other cases of willful neglect or refusal to render a list or return, or of rendering a false or fraudulent return: *Provided*, That any party, in his or her own behalf, or as such fiduciary, shall be permitted to declare, under oath or affirmation, the form and manner of which shall be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, that he or she, or his or her ward or beneficiary, was not possessed of an income of \$4,000, liable to be assessed according to the provisions of this act; or may declare that he or she has been assessed and paid an income tax elsewhere in the same year, under authority of the United States, upon his or her income, gains, or profits, as prescribed by law; and if the deputy collector, or other designated officer or agent, shall be satisfied of the truth of the declaration, shall thereupon be exempt from income tax in the said district for that year; or if the list or return of any party shall have been increased by the deputy collector, or other designated officer or agent, such party may exhibit his books and accounts, and be permitted to prove and declare, under oath or affirmation, the amount of income liable to be assessed; but such oaths and evidence shall not be considered as conclusive of the facts, and no deductions claimed in such cases shall be made or allowed until approved by the deputy collector, or other designated officer or agent. Any person feeling aggrieved by the decision of the deputy collector, or other designated officer or agent, in such cases may appeal to the collector of the district, and his decision thereon, unless reversed by the Commissioner of Internal Revenue, shall be final. If the person is dissatisfied with the decision of the collector he may submit his case, with all the papers, to the Commissioner of Internal Revenue for his decision, and if he desires to furnish the testimony of witnesses to prove any relevant facts he will also serve notice to that effect upon the Commissioner of Internal Revenue, as herein prescribed.

Such notice must state the time and place at which, and the officer before whom, the testimony will be taken; the name, age, residence, and business of the proposed witness, with the questions to be propounded to the witness, or a brief statement of the substance of the testimony he is expected to give.

The notice shall be delivered or mailed to the commissioner a sufficient number of days previous to the day fixed for taking the testimony, to allow him, after its receipt, at least five days, exclusive of the period required for mail communication with the place at which the testimony is to be taken, in which to give, should he so desire, instructions as to the cross-examination of the proposed witness.

Whenever practicable, the affidavit or deposition shall be taken before a collector or deputy collector of internal revenue, in which case reasonable notice shall be given to the collector or deputy collector of the time fixed for taking the deposition or affidavit.

*Provided further*, That no penalty shall be assessed upon any person for such neglect or refusal, or for making or rendering a false or fraudulent return, except after reasonable notice of the time and place of hearing, to be regulated by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, so as to give the person charged an opportunity to be heard.

SEC. 57. The taxes on incomes herein imposed shall be due and payable on

or before the 1st day of July in each year; and to any sum or sums annually due and unpaid after the 1st day of July as aforesaid, and for ten days after notice and demand thereof by the collector, there shall be levied, in addition thereto, the sum of 5 per cent on the amount of taxes unpaid, and interest at the rate of 1 per cent per month upon said tax from the time the same became due, as a penalty, except from the estates of deceased, insane, or insolvent persons.

SEC. 58. That every nonresident person owning property in the United States or receiving income from the United States shall pay a tax on the income received as if resident in the United States. Any such nonresident may also receive the benefit of the exemption by filing with the deputy collector of any district a true list of all his property in the United States, or sources of income, in the same manner as a resident is required to do. In computing income for purpose of exemptions he shall include all income from every source, but shall only pay on that part of the income which is derived from any source in the United States. In cases such nonresident fails to file such statement, then the deputy of each district shall collect the tax on the income derived from his district, making no allowance for exemptions, and all property belonging to such nonresident shall be liable to distraint for tax: *Provided*, That nonresident corporations shall be subject to same laws as to tax as resident corporations, and the collection of the tax shall be made in same manner as provided for collections of taxes against nonresident persons.

SEC. 59. That there shall be levied and collected a tax of 2 per cent on all dividends in scrip or money thereafter declared due, wherever and whenever the same be payable to stockholders, policy-holders, or depositors or parties whatsoever, including nonresidents, whether citizens or aliens, as part of the earnings, incomes, or gains of any bank, trust company, savings institution, and of any fire, marine, life, inland insurance company, either stock or mutual, under whatever name or style known or called in the United States or Territories, whether specially incorporated or existing under general laws, and on all undistributed sums, or sums made or added during the year to their surplus or contingent funds; on all dividends, annuities, or interest paid by corporations or associations organized for profit by virtue of the laws of the United States or of any State or Territory, by means of which the liability of the individual stockholders is in anywise limited, in cash, scrip, or otherwise; and the net income of all such corporations in excess of such dividends, annuities, and interest, or from any other sources whatever; and said banks, trust companies, savings institutions, and insurance companies, and other companies, and all other corporations, shall pay the said tax, and are hereby authorized and required to deduct and withhold from all payments made on account of any dividends or sums of money that may be due and payable as aforesaid, the said tax of 2 per cent. And a list or return shall be made and rendered to the deputy collector, or other officer or agent designated by the Commissioner of Internal Revenue, within thirty days after any dividends or sums of money become due or payable as aforesaid; and said list or return shall contain a true and faithful account of the amount of taxes as aforesaid; and there shall be annexed thereto a declaration of the president, cashier, or treasurer, or the principal accounting officer of the bank, trust company, savings institution, or insurance company, or other corporation, under oath or affirmation, in form and manner as may be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, that the same contains a true and faithful account of the taxes as aforesaid. And for any default in the making or rendering of such list or return, with such declaration annexed, the bank, trust company, savings institution, or insurance company, or other corporation making such default, shall forfeit as a penalty the sum of \$1,000; and in case of any default in making or rendering said list or return, or of any default in the payment of the tax as required, or any part thereof, the assessment and collection of the tax and penalty shall be in accordance with the general provisions of law in other cases of neglect and refusal: *Provided*, That the tax upon the dividends of life insurance companies shall not be deemed due until such dividends are payable; nor shall the portion of premiums returned by mutual life insurance companies to their policy-holders, nor the interest allowed or paid to the depositors in savings banks or savings institutions, be considered as dividends: *And provided further*, That this act shall not apply to the income or dividends received or paid by such building and loan associations as are organized under the laws of any State or Territory and which do not make loans except to shareholders within the State where such associations have been organized. For the purposes of this act "dividend" shall include every payment in the way of division among the owners of the stock or capital of a corporation, or persons entitled to a share of its profits or income, whether such dividends are paid out of profits or not or are paid in cash or otherwise.

SEC. 60. That any bank, building association, or other banking institution which shall neglect or omit to make dividends or additions to its surplus or contingent fund as often as once in six months shall make a list or return in duplicate, under oath or affirmation of the president or cashier, or principal accounting officer, to the deputy collector of the district in which it is located, or to the officer or agent designated by the Commissioner of Internal Revenue, on the 1st day of January and July in each year, or within thirty days thereafter, of the amount of profits which have accrued or been earned or received by said bank during the six months next preceding said list days of January and July; and shall present one of said lists or returns and pay to the collector of the district a duty of 2 per cent on such profits, and in case of default to make such list or return and payment within the thirty days, as aforesaid, shall be subject to the provisions of the foregoing section of this act: *Provided*, That when any dividend is made which includes any part of the surplus or contingent fund of any bank, trust company, savings institution, insurance or railroad company, which has been assessed and the duty paid thereon, the amount of duty so paid on that portion of the surplus or contingent fund may be deducted from the duty on such dividend.

SEC. 61. That any railroad, canal, turnpike, canal navigation or slack-water company, and any telephone, telegraph, electric light and gas company, water company, and any street-railway company, or other corporation, indebted for any money for which bonds or other evidence of indebtedness have been issued, payable in one or more years after date, upon which interest is stipulated to be paid, or coupons representing the interest, or any such company or other corporation that may have declared any dividend in scrip or money due or payable to its stockholders, including nonresidents, whether citizens or aliens, as part of the earnings, profits, income, or gains of such company, and all profits of such company or corporation carried to the account of any fund, or used for construction, shall be subject to and pay a tax of 2 per cent on the amount of all such interest, or coupons, dividends, or profits, whenever and wherever the same shall be payable, and to whatsoever party or person the same may be payable, including nonresidents, whether citizens or aliens; and said companies are hereby authorized to deduct and withhold from all payments on account of any interest, or coupons, and dividends, due and payable as aforesaid, the tax of 2 per cent; and the payment of the amount of said tax so deducted from the interest or coupons or dividends, and certified by the president or treasurer or other principal accounting officer of said company or corporation, shall discharge said company or corporation from that amount of the dividend, or interest, or coupon on the bonds or other evidences of their indebtedness so held by any person or party whatever, except where said



companies or corporations may have contracted otherwise. And a list or return shall be made and rendered to the deputy collector, or other officer or agent designated by the Commissioner of Internal Revenue, on or before the 10th day of the month following that in which said interest, coupons, or dividends become due and payable, and as often as every six months; and said list or return shall contain a true and faithful account of the amount of tax, and there shall be annexed thereto a declaration of the president or treasurer or other principal accounting officer of the company or corporation under oath or affirmation, in form or manner as may be prescribed by the Commissioner of Internal Revenue, that the same contains a true and faithful account of said tax. And for any default in making or rendering such list or return, with the declaration annexed, or of the payment of the tax as aforesaid, the company or corporation making such default shall forfeit as a penalty the sum of \$500 and double the amount of the tax; and in case of any default in making or rendering said list or return, or of the payment of the tax or any part thereof, as aforesaid, the assessment and collection of the tax and penalty shall be made according to the provisions of law in other cases of neglect or refusal: *Provided*, That whenever any of the companies or corporations mentioned in this section shall be unable to pay all of the interest on their indebtedness, and shall in fact fail to pay all of such interest, that in such cases the tax levied by this section shall be paid to the United States only on the amount of interest which the company pays or is able to pay.

SEC. 62. That there shall be levied, collected, and paid on all salaries of officers, or payments for services to persons in the civil, military, naval, or other employment or service of the United States, including Senators and Representatives and Delegates in Congress, when exceeding the rate of \$4,000 per annum, a tax of 2 per cent on the excess above the said \$4,000; and it shall be the duty of all paymasters and all disbursing officers under the Government of the United States, or persons in the employ thereof, when making any payment to any officers or persons as aforesaid, whose compensation is determined by a fixed salary, or upon settling or adjusting the accounts of such officers or persons, to deduct and withhold the aforesaid tax of 2 per cent; and the pay roll, receipts, or account of officers or persons paying such tax as aforesaid shall be made to exhibit the fact of such payment. And it shall be the duty of the accounting officers of the Treasury Department, when auditing the accounts of any paymaster or disbursing officer, or any officer withholding his salary from moneys received by him, or when settling or adjusting the accounts of any such officer, to require evidence that the taxes mentioned in this section have been deducted and paid over to the Treasurer of the United States, or other officer authorized to receive the same. Every corporation which pays to any employee a salary or compensation exceeding \$4,000 per annum shall report the same to the deputy collector of his district and pay the tax hereinbefore provided to the deputy collector of his district, and such payment shall be charged against the amount due such employee. And the same rules and penalties prescribed for the individual making his own return shall apply to such corporation employees: *Provided*, That payments of prize money shall be regarded as incomes from salaries, and the tax thereon shall be adjusted and collected in like manner: *And provided further*, That in case it should become necessary for showing the true receipts of the Government under the operations of this section upon the books of the Treasury Department, the requisite amount may be carried from unappropriated moneys in the Treasury to the credit of said account.

SEC. 63. That sections 3167, 3172, 3173, and 3176 of the Revised Statutes of the United States as amended are hereby amended so as to read as follows:

"SEC. 3167. That if any collector or deputy collector, or other officer or internal-revenue agent acting under the authority of any revenue law of the United States, divulges to any party, or makes known in any other manner than may be provided by law, the operations, style of work, or apparatus of any manufacturer or producer visited by him in the discharge of his official duties, or the amount or source of income, profits, losses, expenditures, or any information obtained by him in the discharge of such duties, he shall be subject to a fine of not exceeding \$1,000, or to be imprisoned for not exceeding one year, or both, at the discretion of the court, and shall be dismissed from office and be forever thereafter incapable of holding any office under the Government.

"SEC. 3172. That every collector shall, from time to time, cause his deputies to proceed through every part of his district and inquire after and concerning all persons therein who are liable to pay any internal-revenue tax, and all persons owning or having the care or management of any objects liable to pay any tax, and to make a list of such persons and enumerate said objects.

"SEC. 3173. That it shall be the duty of any person, partnership, firm, association, or corporation, made liable to any duty, special tax, or other tax imposed by law when not otherwise provided for, in case of a special tax, on or before the 31st day of July in each year, in case of income tax on or before the 1st day of March in each year, and in other cases before the day on which the taxes accrue, to make a list or return, verified by oath or affirmation, to the deputy collector of the district where located, of the articles or objects, including the amount of annual income, charged with a duty or tax, the quantity of goods, wares, and merchandise made or sold, and charged with a tax, the several rates and aggregate amount, according to the forms and regulations to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, for which such person, partnership, firm, association, or corporation is liable: *Provided*, That if any person liable to pay any duty or tax, or owning, possessing, or having the care or management of property, goods, wares, and merchandise, articles or objects liable to pay any duty, tax, or license, shall fail to make and exhibit a list or return required by law, but shall consent to disclose the particulars of any and all the property, goods, wares, and merchandise, articles and objects liable to pay any duty or tax, or any business or occupation liable to pay any tax as aforesaid, then, and in that case, it shall be the duty of the deputy collector to make such a list or return, which, being distinctly read, consented to, and signed and verified by oath or affirmation by the person so owing, possessing, or having the care and management as aforesaid, may be received as the list of such person: *Provided further*, That in case no annual list or return has been rendered by such person to the deputy collector as required by law, and the person shall be absent from his or her residence or place of business at the time a deputy collector shall call for the annual list or return, it shall be the duty of such deputy collector to leave at such place of residence or business, with some one of suitable age and discretion, if such be present, otherwise to deposit in the nearest post-office a note or memorandum addressed to such person, requiring him or her to render to such deputy collector the list or return required by law, within ten days from the date of such note or memorandum, verified by oath or affirmation. And if any person on being notified or required as aforesaid shall refuse or neglect to render such list or return within the time required as aforesaid or whenever any person who is required to deliver a monthly or other return of objects subject to tax fails to do so at the time required, or delivers any return which, in the opinion of the collector, is false or fraudulent, or contains any undervaluation or understatement, it shall be lawful for the collector to summon such person, or any other person having possession, custody, or care of books of account containing entries relating to

the business of such person, or any other person he may deem proper, to appear before him and produce such books, at a time and place named in the summons, and to give testimony or answer interrogatories, under oath, respecting any objects liable to tax or the returns thereof. The collector may summon any person residing or found within the State in which his district lies; and when the person intended to be summoned does not reside and can not be found within such State, he may enter any collection district where such person may be found, and there make the examination herein authorized. And to this end he may there exercise all the authority which he might lawfully exercise in the district for which he was commissioned.

"SEC. 3176. That the collector or any deputy collector in every district shall enter into and upon the premises, if it be necessary, of every person therein who has taxable property and who refuses or neglects to render any return or list required by law, or who renders a false or fraudulent return or list, and make, according to the best information which he can obtain, including that derived from the evidence elicited by the examination of the collector, and on his own view and information, such list or return, according to the form prescribed, of the income, property, and objects liable to tax owned or possessed or under the care or management of such person, and the Commissioner of Internal Revenue shall assess the tax thereon, including the amount, if any, due for special income or other tax, and in case of any return of a false or fraudulent list or valuation intentionally he shall add 100 per cent to such tax; and in case of a refusal or neglect, except in cases of sickness or absence, to make a list or return, or to verify the same as aforesaid, he shall add 50 per cent to such tax. In case of neglect occasioned by sickness or absence as aforesaid the collector may allow such further time for making and delivering such list or return as he may deem necessary, not exceeding thirty days. The amount so added to the tax shall be collected at the same time and in the same manner as the tax unless the neglect or falsity is discovered after the tax has been paid, in which case the amount so added shall be collected in the same manner as the tax; and the list or return so made and subscribed by such collector or deputy collector shall be held good and sufficient for all legal purposes."

SEC. 64. That every corporation doing business for profit shall make and render to the collector of its collection district, on or before the 10th day of the month after that in which any dividends or shares of profits, annuities, interest, or coupons become due and payable, a full return thereof, containing a true and faithful account of the amount so due or payable and of the amount of the tax thereon; and to such return there shall be annexed a declaration of the president, treasurer, cashier, or other principal officer of such corporation, under oath or affirmation, to the effect that the same contains a true and faithful account of all the amounts so due or payable and of the tax thereon, as aforesaid, such return and declaration thereto annexed to be made in such form and manner as may be prescribed by the Commissioner of Internal Revenue.

SEC. 65. That every corporation doing business for profit shall make and render to the collector of its collection district, on or before the first Monday of February in every year, beginning with the year 1895, a full return, verified by oath or affirmation, as provided in the last section, in such form as the Commissioner of Internal Revenue may prescribe, of all the following matters for the whole calendar year last preceding the date of such return:

First. The gross profits of such corporation, from all kinds of business of every name and nature.

Second. The expenses of such corporation, exclusive of interest, annuities, and dividends.

Third. The net profits of such corporation, without allowance for interest, annuities, or dividends.

Fourth. The amount paid on account of interest, annuities, and dividends, stated separately.

Fifth. The amount paid in salaries of \$4,000 or less to each person employed.

Sixth. The amount paid in salaries of more than \$4,000 to each person employed.

SEC. 66. That it shall be the duty of every corporation doing business for profit to keep full, regular, and accurate books of account, upon which all its transactions shall be entered from day to day, in regular order, which books shall, at all reasonable times, be open to the inspection of the assessors and inspectors appointed in pursuance of this act; but such inspection shall only be had for the purpose of verifying the returns made by such corporations, as in this act provided for.

SEC. 67. That the taxes imposed by this act upon dividends, interest, coupons, and annuities shall be levied upon and collected from all such dividends, coupons, interest, and annuities wherever and whenever the same may be payable to all parties whatsoever, including nonresidents, whether citizens or aliens; and every corporation paying any tax on such dividends, coupons, interest, or annuities may deduct and retain from all payments made on account thereof a proportionate amount of the tax so paid.

SEC. 68. That it shall be the duty of every collector of internal revenue, to whom any payment is made under the provisions of this act, to give to the person making such payment a full written or printed receipt, expressing the amount paid and the particular account for which such payment was made; and whenever such payment is made otherwise than by a corporation, such collector shall, if required, give a separate receipt for each tax paid by any debtor, on account of payments made to or to be made by him to separate creditors in such form that such debtor can conveniently produce the same separately to his several creditors in satisfaction of their several demands to the amounts specified in such receipts; and such receipts shall be sufficient evidence in favor of such debtor, to justify him in withholding the amount therein expressed from his next payment to his creditor; but such creditor may, upon giving to his debtor a full written receipt, acknowledging the payment to him of whatever sum may be actually paid, and accepting the amount of tax paid as aforesaid (specifying the same) as a further satisfaction of the debt to that amount, require the surrender to him of such collector's receipt.

SEC. 69. That no rule or regulation established by the Commissioner of Internal Revenue under this act shall be valid without the approval of the Secretary of the Treasury in writing; nor shall the same be binding upon any corporation, or upon any person not an internal-revenue officer, until it has been printed and conspicuously posted in the offices of the commissioner and the collector of the collection district in which such person or corporation has an office or residence.

SEC. 70. That if any person, in any case, matter, hearing, or other proceeding in which an oath or affirmation shall be required to be taken or administered, under or by virtue of this act, shall, upon the taking of such oath or affirmation, knowingly and willfully swear or affirm falsely, every person so offending shall be deemed guilty of perjury, and shall, on conviction thereof, be subject to the like punishment and penalties now provided by the laws of the United States for the crime of perjury.

SEC. 71. That the Secretary of the Treasury shall have power to relieve and release from all forfeitures and penalties imposed by this act, in such cases as he may deem proper; but this shall not apply to any penalties imposed by law as the punishment of a misdemeanor or other crime.

SEC. 72. That on and after the 1st day of July, 1894, there shall be levied, collected, and paid, by adhesive stamps, a tax of 2 cents for and upon every



pack of playing cards manufactured and sold or removed, and also upon every pack in the stock of any dealer on and after that date; and the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall make regulations as to dies and adhesive stamps.

SEC. 73. That in all cases where an adhesive stamp is used for denoting the tax imposed by this act upon playing cards, except as hereinafter provided, the person using or affixing the same shall write thereon the initials of his name and the date on which such stamp is attached or used, so that it may not again be used. And every person who fraudulently makes use of an adhesive stamp to denote any tax imposed by this act without so effectually canceling and obliterating such stamp shall forfeit the sum of \$50. The Commissioner of Internal Revenue is authorized to prescribe such method for the cancellation of stamps as substitute for, or in addition to the method prescribed in this section as he may deem expedient and effectual. And he is authorized, in his discretion, to make the application of such method imperative upon the manufacturers of playing cards.

SEC. 74. That every manufacturer of playing cards shall register with the collector of the district his name or style, place of residence, trade, or business, and the place where such business is to be carried on, and a failure to register as herein provided and required shall subject such person to a penalty of \$50.

SEC. 75. That the Commissioner of Internal Revenue shall cause to be prepared, for payment of the tax upon playing cards, suitable stamps denoting the tax thereon. Such stamps shall be furnished to collectors requiring them, and collectors shall, if there be any manufacturers of playing cards within their respective districts, keep on hand at all times a supply equal in amount to two months' sales thereof, and shall sell the same only to such manufacturers as have registered as required by law and to importers of playing cards, who are required to affix the same to imported playing cards, and to persons who are required by law to affix the same to stocks of playing cards on hand when the tax thereon imposed first takes effect. Every collector shall keep an account of the number and denominate values of the stamps sold by him to each manufacturer, and to other persons above described.

SEC. 76. That if any person shall forge or counterfeit, or cause or procure to be forged or counterfeited, any stamp, die, plate, or other instrument, or any part of any stamp, die, plate, or other instrument which shall have been provided or may hereinafter be provided, made, or used in pursuance of the provisions of this act or of any previous provisions of law on the same subjects, or shall forge, counterfeit, or resemble, or cause or procure to be forged, counterfeited, or resembled the impression or any part of the impression of any such stamp, die, plate, or other instrument, as aforesaid, upon any paper, or shall stamp or mark or cause or procure to be stamped or marked any paper with any such forged or counterfeited stamp, die, plate, or other instrument or part of any stamp, die, plate, or other instrument, as aforesaid, with intent to defraud the United States of any of the taxes hereby imposed or any part thereof; or if any person shall utter, or sell, or expose to sale any paper, article, or thing having thereupon the impression of any such counterfeited stamp, die, plate, or other instrument, or any part of any stamp, die, plate, or other instrument, or any such forged, counterfeited, or resembled impression, or part of impression, as aforesaid, knowing the same to be forged, counterfeited, or resembled; or if any person shall knowingly use or permit the use of any stamp, die, plate, or other instrument which shall have been so provided, made, or used, as aforesaid, with intent to defraud the United States; or if any person shall fraudulently cut, tear, or remove, or cause or procure to be cut, torn, or removed, the impression of any stamp, die, plate, or other instrument, which shall have been provided, made, or used in pursuance of this act, or of any previous provisions of law on the same subjects, from any paper, or any instrument or writing charged or chargeable with any of the taxes imposed by law; or if any person shall fraudulently use, join, fix, or place, or cause to be used, joined, fixed, or placed, to, with, or upon any paper, or any instrument or writing charged or chargeable with any of the taxes hereby imposed, any adhesive stamp, or the impression of any stamp, die, plate or other instrument, which shall have been provided, made, or used in pursuance of law, and which shall have been cut, torn, or removed from any other paper or any instrument or writing charged or chargeable with any of the taxes imposed by law; or if any person shall willfully remove or cause to be removed, alter or cause to be altered, the canceling or defacing marks on any adhesive stamp, with intent to use the same, or to cause the use of the same, after it shall have been once used, or shall knowingly or willfully sell or buy such washed or restored stamps or offer the same for sale, or give or expose the same to any person for use, or knowingly use the same, or prepare the same with intent for the further use thereof; or if any person shall knowingly and without lawful excuse (the proof whereof shall lie on the person accused) have in his possession any washed, restored, or altered stamps, which have been removed from any article, paper, instrument or writing, then, and in every such case, every person so offending, and every person knowingly and willfully aiding, abetting, or assisting in committing any such offense as aforesaid, shall, on conviction thereof, forfeit the said counterfeit, washed, restored, or altered stamps and the articles upon which they are placed and be punished by fine not exceeding one thousand dollars, or by imprisonment and confinement to hard labor not exceeding five years, or both, at the discretion of the court. And the fact that any adhesive stamp so bought, sold, offered for sale, used, or had in possession as aforesaid, has been washed or restored by removing or altering the canceling or defacing marks thereon, shall be prima facie proof that such stamp has been once used and removed by the possessor thereof from some paper, instrument, or writing charged with taxes imposed by law, in violation of the provisions of this section.

SEC. 77. That whenever any person makes, prepares, and sells or removes for consumption or sale, playing cards, whether of domestic manufacture or imported, upon which a tax is imposed by law, without affixing thereto an adhesive stamp denoting the tax before mentioned, he shall incur a penalty of \$50 for every omission to affix such stamp: *Provided*, That playing cards may be removed from the place of manufacture for export to a foreign country, without payment of tax, or affixing stamps thereto, under such regulations and the filing of such bonds as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

SEC. 78. That every manufacturer or maker of playing cards who, after the same are so made, and the particulars herein before required as to stamps have been complied with, takes off, removes, or detaches, or causes, or permits, or suffers to be taken off, or removed, or detached any stamp, or who uses any stamp, or any wrapper or cover to which any stamp is affixed, to cover any other article or commodity than that originally contained in such wrapper or cover, with such stamp when first used, with the intent to evade the stamp duties, shall, for every such article, respectively, in respect of which any such offense is committed, be subject to a penalty of \$50, to be recovered together with the costs thereupon accruing; and every such article or commodity as aforesaid shall also be forfeited.

SEC. 79. That every maker or manufacturer of playing cards who, to evade the tax or duty chargeable thereon, or any part thereof, sells, exposes for sale, sends out, removes, or delivers any playing cards before the duty

thereon has been fully paid, by affixing thereon the proper stamp, as provided by law, or who, to evade as aforesaid, hides or conceals, or causes to be hidden or concealed, or removes or conveys away, or deposits, or causes to be removed or conveyed away from or deposited in any place, any such article or commodity, shall be subject to a penalty of \$50, together with the forfeiture of any such article or commodity.

SEC. 80. That the tax on playing cards shall be paid by the manufacturer thereof. Every person who offers or exposes for sale playing cards, whether the articles so offered or exposed are of foreign manufacture and imported or are of domestic manufacture, shall be deemed the manufacturer thereof, and subject to all the duties, liabilities and penalties imposed by law in regard to the sale of domestic articles without the use of the proper stamps denoting the tax paid thereon, and all such articles of foreign manufacture, shall in addition to the import duties imposed on the same, be subject to the stamp tax prescribed in this act.

SEC. 81. That whenever any article upon which a tax is required to be paid by means of a stamp is sold or removed for sale by the manufacturer thereof, without the use of the proper stamp, in addition to the penalties imposed by law for such sale or removal, it shall be the duty of the Commissioner of Internal Revenue, within a period of not more than two years after such removal or sale, upon such information as he can obtain, to estimate the amount of the tax which has been omitted to be paid, and to make an assessment thereupon the manufacturer or producer of such article. He shall certify such assessment to the collector, who shall immediately demand payment of such tax, and upon the neglect or refusal of payment by such manufacturer or producer, shall proceed to collect the same in the manner provided for the collection of other assessed taxes.

SEC. 82. That on and after the 1st day of the second calendar month after the passage of this act there shall be levied and collected on all distilled spirits produced in the United States, on which the tax is not paid before that day, a tax of \$1 on each proof gallon, or wine gallon when below proof, to be paid by the distiller, owner, or person having possession thereof, on or before removal from the warehouse, and within eight years from the date of the original entry for deposit in any distillery or special bonded warehouse, except in cases of withdrawals therefrom without payment of tax as now authorized by law; warehousing bonds, covering the taxes on all distilled spirits entered for deposit into distillery or special bonded warehouse on and after the date named in this section and remaining therein on the 5th day of the following month, shall be given by the distiller or owner of said spirits as required by existing laws, conditioned, however, for payment of taxes at the rate imposed by this act and before removal from warehouse and within eight years, as to fruit brandy, from the date of the original gauge, and as to all other spirits from the date of the original entry for deposit.

SEC. 83. That warehousing bonds or transportation and warehousing bonds covering the taxes on distilled spirits entered for deposit into distillery or special bonded warehouses prior to the date named in the first section of this act, and on which taxes have not been paid prior to that date, shall continue in full force and effect for the time named in said bonds. Whenever the tax is paid on or after the aforesaid date, pursuant to the provisions of the warehousing, or transportation and warehousing bonds aforesaid, there shall be added to the 90 cents per taxable gallon an additional tax sufficient to make the tax paid equal to that imposed by section 29 of this act. The Commissioner of Internal Revenue may require the distillers or owners of the spirits to give bonds for the additional tax, and before the expiration of the original bonds shall prescribe rules and regulations for reentry for deposit and for new bonds as provided in the first section of this act and conditioned for payment of tax at the rate imposed by this act and before removal of spirits from warehouse, and within eight years, as to fruit brandy, from the date of the original gauge, and as to all other spirits from the date of the original entry for deposit. The distiller or owner of the spirits may request regauge of same prior to the expiration of six years from the date of the original entry or original gauge. If the distiller or owner of the spirits fails or refuses to give the bonds for the additional tax or to reenter and rebond the same the Commissioner of Internal Revenue may proceed as now provided by law for failure or refusal to give warehousing bonds on original entry into distillery or special bonded warehouse.

SEC. 84. That whenever the owner of any distilled spirits shall desire to withdraw the same from the distillery warehouse, or from a special bonded warehouse, he may file with the collector a notice giving a description of the packages to be withdrawn and request that the distilled spirits be regauged; and thereupon the collector shall direct the gauger to regauge the same, and mark upon the package so regauged the number of gauge or wine gallons and proof gallons therein contained. If upon such regauging it shall appear that there has been a loss of distilled spirits from any cask or package, without the fault or negligence of the distiller or owner thereof, taxes shall be collected only on the quantity of distilled spirits contained in such cask or package at the time of the withdrawal thereof from the distillery warehouse or special bonded warehouse: *Provided, however*, That the allowance which shall be made for such loss of spirits as aforesaid shall not exceed 1 proof gallon for two months or part thereof; 1½ gallons for three and four months; 2 gallons for five and six months; 2½ gallons for seven and eight months; 3 gallons for nine and ten months; 3½ gallons for eleven and twelve months; 4 gallons for thirteen, fourteen, and fifteen months; 4½ gallons for sixteen, seventeen, and eighteen months; 5 gallons for nineteen, twenty, and twenty-one months; 5½ gallons for twenty-two, twenty-three, and twenty-four months; 6 gallons for twenty-five, twenty-six, and twenty-seven months; 6½ gallons for twenty-eight, twenty-nine, and thirty months; 7 gallons for thirty-one, thirty-two and thirty-three months; 7½ gallons for thirty-four, thirty-five, and thirty-six months; 8 gallons for thirty-seven, thirty-eight, thirty-nine, and forty months; 8½ gallons for forty-one, forty-two, forty-three, and forty-four months; 9 gallons for forty-five, forty-six, forty-seven, and forty-eight months; 9½ gallons for forty-nine, fifty, fifty-one, and fifty-two months; 10 gallons for fifty-three, fifty-four, fifty-five, and fifty-six months; 10½ gallons for fifty-seven, fifty-eight, fifty-nine, and sixty months; 11 gallons for sixty-one, sixty-two, sixty-three, sixty-four, sixty-five, and sixty-six months; and 11½ gallons for sixty-seven, sixty-eight, sixty-nine, seventy, seventy-one, and seventy-two months, and no further allowance shall be made: *And provided further*, That taxes may be collected on the quantity contained in each cask or package as shown by the original entry for deposit into the warehouse, or, as to fruit brandy, by the original gauge for which the owner or distiller does not request a regauge before the expiration of six years from the date of original entry or gauge: *Provided, also*, That the foregoing allowance of loss shall apply only to casks or packages of a capacity of 40 or more wine gallons, and that the allowance for loss on casks or packages of less capacity than 40 gallons shall not exceed one-half the amount allowed on said 40 gallon cask or package; but no allowance shall be made on casks or packages of less capacity than 20 gallons: *And provided further*, That the proof of such distilled spirits shall not in any case be computed at the time of withdrawal at less than 100 per cent.

SEC. 85. That all acts and parts of acts inconsistent herewith are hereby repealed.

Mr. McMILLIN was recognized.



Mr. McMILLIN. Mr. Chairman—

A MEMBER. Let us have order.

The CHAIRMAN. Before the gentleman from Tennessee proceeds the committee will please come to order. [A pause.]

Mr. McMILLIN. Mr. Chairman, the American people have now tried a protective tariff long enough to know whether it is good or bad.

Mr. TRACEY. I desire to reserve points of order against this amendment.

Mr. McMILLIN. It is too late now; the discussion has begun.

The CHAIRMAN. The discussion of the amendment had begun; the gentleman from Tennessee [Mr. McMILLIN] was addressing the Chair. The Chair thinks the point of order comes too late.

Mr. TRACEY. I do not think it comes too late. We can not make a point of order on an amendment until it is read.

The CHAIRMAN. But the amendment was read some time ago.

Mr. TRACEY. The point of order could not be made until the amendment was read.

The CHAIRMAN. It has been read some time ago; and the gentleman from Tennessee had taken the floor and had commenced his speech.

Mr. STOCKDALE. The gentleman from New York [Mr. TRACEY] can not take a member off the floor.

Mr. TRACEY. The point of order could not be made until the amendment had been read.

The CHAIRMAN. The amendment was read some time ago.

Mr. TRACEY. Not some time ago. I was standing here—

Mr. REED. It seems to me that if the gentleman from New York desired to make a point of order, and was intending to secure the attention of the Chair, the matter has not gone so far that the point of order can not now be made. I do not know what the point of order is.

The CHAIRMAN. A point of order must be made before debate on the proposition has begun.

Mr. McMILLIN. The RECORD will show that upon the conclusion of the reading of this amendment, I rose and had begun to address the committee before the point was made—

Mr. TRACEY. All right; if the gentleman from Tennessee thinks he can afford to cut off the opportunity to make points of order—

The CHAIRMAN. The gentleman from Tennessee [Mr. McMILLIN] will proceed with his statement about the point of order. Mr. McMILLIN. I was only stating that the RECORD will show the order in which everything proceeded; and the point of order can be disposed of after I shall have concluded the brief remarks with which I propose to detain the House. Or, if the gentleman from New York desires to have the question settled now, I am willing—

The CHAIRMAN. The point of order should be disposed of, if there is any point pending, before the debate is entered upon.

Mr. TRACEY. I wanted to reserve a point of order—

Mr. MCCREARY of Kentucky. The amendment had been read; the gentleman from Tennessee had taken the floor and commenced his speech. I contend that when the gentleman from New York interposed it was entirely too late to make the point of order. I ask that the matter be decided now.

Mr. ENLOE. Could not the gentleman from New York [Mr. TRACEY] enter his point *nunc pro tunc*? That seems to be the proper proceeding.

The CHAIRMAN. All points of order should be made before the debate is entered upon. The gentleman from Tennessee had risen and commenced his remarks and had delivered, as the Chair understands, at least two or three sentences when some gentleman asked for order on the floor. The Chair was attempting to restore order. At that point the gentleman from New York [Mr. TRACEY] arose and said he desired to make a point of order.

Mr. TRACEY. I said that I desired to reserve points of order against the amendment.

The CHAIRMAN. No point of order could be reserved. If the gentleman had any point of order he ought to have made it and had it disposed of. A point of order can not be reserved and held in suspense for three days, because if after that the Chair should sustain the point of order, the time spent in the three days debate would be lost. The Chair thinks the question should be settled now as to whether the point of order is pending. If the gentleman from New York says that he rose in time to make the point of order before the gentleman from Tennessee had begun his speech, the Chair will entertain the point of order. If he does not say so, the Chair will hold that the point comes too late.

Mr. TRACEY. I wish to reserve points of order against the amendment.

The CHAIRMAN. That can not be done.

Mr. TRACEY. Well, that can be settled later—

The CHAIRMAN. If the gentleman says he rose in time to make the point of order, the Chair will hear it.

Mr. MCCREARY of Kentucky. According to the gentleman's own statement he has not made any point of order; he simply rose to reserve a point of order; and the Chair as I understand has held that that can not be done.

The CHAIRMAN. The Chair thinks that would not be regular.

Mr. MCCREARY of Kentucky. And no point of order has yet been raised.

Mr. DOCKERY. That is quite correct. It is not proper for the gentleman to have any forces in reserve.

The CHAIRMAN. The Chair decides that there is no point of order pending. The gentleman from Tennessee [Mr. McMILLIN] has the floor.

[Mr. McMILLIN addressed the committee. See Appendix.]

Mr. RAY. Mr. Chairman, the distinguished gentleman from Tennessee [Mr. McMILLIN], who has just taken his seat, in the advocacy of this amendment to the pending bill has recognized the condition which exists in this country, and if he were correct in charging it to the McKinley law gentlemen on this side of the House would have but little to say. We would most gladly, in that case, concur in the Wilson tariff bill, now pending before the House, and in any other measure which might be required to correct the evil. But the gentleman from Tennessee and other gentlemen on the Democratic side of this House are so blinded by their partisanship that they fail to discover, or are unwilling to concede, the true reason of the present condition existing in this country. It is not the result of protection. It is not the result of the operations of the McKinley tariff. It is the fear of change; the fear of the tariff bill which the Democratic party now threatens to force upon this country.

I am sorry indeed, Mr. Chairman, that our Democratic brethren think so ill of the Republican party, that they think so ill of this side of the House. The distinguished gentleman from Pike County, Mo., the Hon. CHAMP CLARK (if he will pardon my mention of his name), who represents the "true inwardness" of the Democratic party in all its sweetness, and loveliness, and beauty, declared the other day, with many a shake of the head, and with many a violent gesture, that if any man desired to visit Hades he had but to walk down the broad center aisle of this Hall and turn to the right, that is the Republican side, and he would immediately find himself in hell. [Laughter.] And this announcement met with great Democratic applause, and was commended universally by the Democratic press throughout the country.

Mr. MORSE. The gentleman excepted the Cherokee Strip over here.

Mr. RAY. Yes, he would naturally do that.

Mr. CLARK of Missouri. Does not the gentleman know that I simply adopted the simile of a distinguished protectionist Democrat on this side of the House?

Mr. RAY. I did not know whether you were adopting somebody else's language or idea or were expressing your own views. I had supposed, Mr. Chairman, that the gentleman from Pike County, Mo., was so original in his ideas that he could make a speech without adopting the ideas of anyone. [Laughter.] The gentleman depicted the Democratic side as the happy land of eternal bliss, the heaven of earth, and the hope of eternity; and he invited the American people to come over there and join them. Inasmuch, Mr. Chairman, as the Republican party is a unit on the great questions now agitating the public mind, harmonious in counsel, united in action, gentlemanly in deportment and language, and ever watchful of the interests of this people in all sections of our country—

Mr. LIVINGSTON. Is that a compliment to the leaders or to the masses of the Republican party?

Mr. RAY. It is complimentary, my dear sir, to the leaders of the Republican party—

Mr. LIVINGSTON. Then I agree with you.

Mr. RAY. It is also complimentary to the masses of the Republican party, and some of these remarks are intended by me as a rebuke to any gentleman who on the floor of this House shall denounce the Republican side as a hell upon earth. [Laughter.] As unity and a desire for prosperity is the attitude of the Republican party on all these questions, Mr. Chairman, while the Democratic party is constantly engaged in petty quarrels and bickerings and is always accusing itself of ill deeds, we can but conclude that the Democratic war horse of Pike County is utterly perverted in his tastes, lost to moral sense and perception, and that to him hell is heaven and heaven hell [laughter]; and to him, in my opinion, judging from his utterances alone, the wail of the damned would be the sweetest music, the smell



of sulphur the most delightful incense, and turmoil and strife the lullaby that would bring him peace and quiet. [Laughter.]

Such is Democracy as declared by the distinguished gentleman from Missouri. Such are Democratic tastes, for the gentleman from Pike County is a typical Democrat. He understands Democracy in all its windings and in all its turnings. He understands its true inwardness. He is a graduate from the inner sanctuary. He is a high priest in the Democratic synagogue and a brigadier-general among the demagogues. [Laughter and applause on the Republican side.] The Democratic party is indeed harmonious. It is united and full to the brim with self-esteem and self-glorification. I desire to have read what the Democratic party thinks of itself. The Democracy of New York State, in its own estimation at least, is the most aristocratic of aristocrats.

It is the purest of the pure, it is the wisest of the wise; and it occupies this position in the party, for it rules the Democracy of the nation. Its will is law. It dominates the Senate of the United States, and it dictates or it would, at least, dictate the Executive. Here is the heaven the Democracy has pictured for itself. Its loveliness, its purity, its wisdom, as told by one of its own sheets, and I send to the Clerk's desk and ask to have read a statement which I clipped from that great exponent of Democratic ideas, the Chicago Times, published in the city of Chicago; and I ask the close attention of my Democratic friends, in order that you may understand what you yourselves think of yourselves. [Laughter.]

The Clerk read as follows:

[The Chicago Times, January 25, 1894.]

WOULD RULE OR RUIN—NEW YORK DEMOCRACY A DISASTER TO THE PARTY IN GENERAL—CANDIDATES FOR THE PRESIDENCY FROM THE EMPIRE STATE BEATEN FOR THIRTY YEARS EXCEPT IN THE CASE OF CLEVELAND—A SEDULOUS AND INSISTENT BEGGAR FOR OFFICE—REPRESENTATIVE BYNUM SHOOTS BOTH WAYS IN REGARD TO THE REVENUE BILL—FILIBUSTERING AGAINST THE INCOME TAX.

WASHINGTON, D. C., January 24.

To-day in the House a disgusted world was given another taste of the New York Democracy. If there is a case of political itch on earth it is the New York Democracy.

[Laughter.]

If there is a dose of castor oil in the pharmacy of politics it is the New York Democracy.

[Laughter.]

If there is a yellow dog of party, to snap and snarl and bite at the heels of political decency, it is the New York Democracy.

[Laughter.]

If there is a party hog to grunt and squeal and, having gorged the swill, to then attempt to go to sleep in the trough, it is the New York Democracy.

[Laughter.]

If there is a polecat in politics it is the New York Democracy.

[Laughter.]

The party should cure it, or kill it, or open the door and sweep it out.

[Laughter.]

New York is a disaster to Democracy—always was and always will be. Its word is worthless; its contracts a mere uppercrust to fraud. It is a Corsican to stalk in the dark and stab in the back. It makes a specialty of treason, and to become the greatest traitor is to become the greatest New Yorker. Its policy is to rule or ruin. It defeats itself by being too weak to ruin, too big an idiot to rule. Such is the New York Democracy.

The Democracy of the nation has paid too much heed to these outcasts in the past. The party has been too much led by the nose by the great bluffer, the party in New York. For thirty years it has attended every convention in the rôle of party bully. And the party has been weak enough to submit. What has been the harvest? For thirty years the New York Democracy has furnished the party candidate for the Presidency. For thirty years the party has been regularly beaten except in the two cases of President Cleveland. Cleveland was made President—is President. And Democracy

WOULD HAVE BEEN BETTER OFF

if a millstone had been fastened about her neck and she had been cast into the middle of the sea to soak for four years.

[Laughter.]

Mr. HENDRIX. Do I understand the gentleman to say that that is from the speech of the Hon. CHAMP CLARK?

Mr. RAY. No, sir; I did not say that. I said it is from a Democratic newspaper. I do not say it of the Democratic party, or of any branch or faction of it; I simply sent to the desk a clipping from a Democratic paper, the leading Democratic paper of the great West, in order that my Democratic friends may understand what you say of yourselves among yourselves and what you think of yourselves. [Laughter on the Republican side.]

Mr. LIVINGSTON. Will the gentleman explain the jealousies between the city of New York and Chicago, and state whether that does not account to a large extent for the article he has had read from the desk?

Mr. RAY. It may be the result of Democratic jealousy, and it may be the result of Democratic truth-telling. I leave that for gentlemen of the House to decide for themselves. I trust, however, that there is no Democratic newspaper either in the

East or in the great West that would be guilty of lying. [Laughter.]

The New York Democracy is crazy for tariff reform, reduction of revenue, and the selling of Government bonds; but so is the whole Democratic party. But it is for tariff reform in spots—in Republican districts and States—and hence the bill now under discussion has been presented to this House and to the country. It is not free trade nor is it protection; it is not a tariff for revenue, because it wipes out the revenues, and will produce an annual deficiency of at least \$80,000,000, unless there shall be attached to it the income-tax feature, which it is hoped will relieve it in part at least from such result. It is not a tariff for protection, for it protects no industry except in a few lone Democratic districts, such as are represented by my distinguished friend from Pike County, Mo.

The Wilson bill, so called, is a mongrel. It is a product of the John Bull free trader and a Democratic mugwump. It strikes at American industries and American homes. It takes away employment from every workingman. It closes the factory doors. It pulls down the curtain and puts out the furnace fires. It devastates the farms throughout the great North and the whole country, and it thins out our flocks and herds. The bleating of sheep and the lowing of cattle will be rare music when this bill becomes a law. American sheep will be as rare in a few years as American buffalo. We are to have wool from Australia and South America, manufactured clothing from England, machinery from the English workshops. Our markets are to be thrown wide open to foreign competition. Our laboring class must compete with the ill-fed, ill-clothed, and starving workmen of Europe. The national debt is to be increased and we are to live on credit. We are to put a blanket mortgage on our homes and trust to our children to pay it, for this Democratic Administration is about to throw upon the country a new issue of Government bonds, a proceeding that has been denounced by the Democratic party ever since I was a boy. We are about to return to the days of our daddies, when dollars were as rare as hen's teeth, when articles of manufactured merchandise bore the label of European workshops and the English coat-of-arms. We are to tear the clambering vines from over the doors of our artisans and put in their place a charcoal-painted sign with the inscription, "Work or charity wanted here." We are to empty the workshops in America, but fill the poorhouses. We shall empty the schoolhouses, but fill the jails. All this we do when we decrease the tariff duties, adopt free trade, and increase the public debt.

It is not my purpose to open any discussion of the late civil war or refer to its horrors, but I may be pardoned in saying that the necessities arising from it made high duties on foreign imports a necessity, and compelled a resort to modes of taxation before unknown to our people. High tariff duties at once so fostered and protected our home industries that our people grew rich even under the most unfavorable conditions. Factories and workshops multiplied and the fields of labor were broadened. We began to produce articles before manufactured entirely abroad. The inventive skill and genius of our people was stimulated to a high degree, and within a quarter of a century from the close of that struggle we found ourselves not only supplying our home markets but competing successfully in those of other countries.

The balance of trade changed in our favor, and the best blood and sinew of downtrodden Europe flocked to our shores to avail themselves of this protective policy which had made the United States the most desirable country on the face of the earth. The broad prairies of the great West were made to blossom as the rose, and the waste places were made to yield a rich harvest of golden wheat and waving corn. Mines of coal and iron and silver and gold were rapidly opened and made to pay rich tribute to the wants of our people. Railroads spanned the continent, and great cities grew apace. Our country was quickly covered with a network of railroads, affording ample means for international intercourse and commerce. The common-school facilities were increased, and if ignorance existed it was without excuse. As the years went on and our prosperity increased, the protective idea grew stronger and took deeper root. It seized upon the hearts of the American people and gave prosperity to those who were willing to avail themselves of it.

But, as against it the Democratic party arrayed itself and it gathered to its bosom the idle, the lazy, the shiftless, the discontented, the ignorant, the socialist, the anarchist, and the Mugwump, and by misrepresentation and appeals to the cupidity of some and the jealousies of others, by promising one thing in one locality and another in another, and by picturing in glittering generalities the beauties of tariff reform, which promised everything but meant nothing, it carried the election, made the Senate Democratic, this House Democratic, and the Executive Democratic. But what a spectacle is presented to an expectant



country. Hardly had the chalk figures announcing the triumph of tariff reform been wiped from the bulletin boards when frightened business began to hide itself. The channels of trade seemed dried up. Capital refused to invest further and loans were called in. Depositors became panic-stricken and withdrew their deposits. Chimney nooks and old ladies' stockings became the banks of deposit. [Applause.] Factories and mills closed. The shutters were drawn and the doors closed. Laboring men and women clamored for work, of which there was none; cried for bread they could not obtain, and want and penury stalks abroad.

In the city of Amsterdam, in my State, thousands are out of employment and every branch of trade is stagnated. In my own town our silk factories that formerly paid \$2,300 in wages monthly are idle. All through the land the same condition exists, and while our people mourn the foreign nations rejoice. With this condition of things existing, and while our laboring men are daily filling the petition box of this House with protests against the Wilson bill, our Democratic friends are steadily at work undermining our manufactories, pulling the belts from the wheels of industry, closing our mines, increasing poverty, and denouncing the measures that have made this nation the best and richest and most productive on the face of the earth.

And what remedy do they propose for the ills of this mistaken and criminal policy? How do they propose to replenish an exhausted Treasury and restore a shaken national credit? By an income tax and by an issue of Government bonds—by increasing the national debt.

Now, I will not undertake to be sponsor for the Republican side of the House on the subject of an income tax. I will not undertake to say what I think of an income tax. I simply desire to call the attention of the Democratic side to what they themselves have said of an income tax in the days that are gone by. When it was necessary to save the life of this nation, when the knife of treason was at the throat of this Government of ours, we found it necessary to resort to measures which were called war measures; and among others we had the income tax.

The Democratic party then denounced it, and so long as we continued it upon the statute books the Democratic party in Congress and out continued to oppose it and denounce it, in the following language: "The most odious and universally condemned mode of taxation resorted to by any nation."

Yet in times of profound peace the Democratic party resorts to war taxes and to war measures, adopted by the Republican party only as a means of saving and preserving the life of this nation. It proposes to let Europe do the work, to supply our markets, to draw the pay, to reap the harvest, while American industry is paralyzed and American labor is unemployed. It proposes to tax brains, enterprise, and industry. The man who thinks and works and earns an income of \$4,000, is to be taxed for it. The man who prefers to let his brain and his body rest, pays no tax. This is a warning that men must not be too industrious, too enterprising, or too saving. The Democratic party says, let every man take care that he keeps the reward of his toil, whether in commercial pursuits, in the manufactures, in the arts, sciences, or in professional life, within the limit.

"It opens wide the door for fraud and perjury, and would encourage lying." This is what the Democratic party said of it twenty-five years ago.

"It allows the man who really does a losing business to report a large income, pay a tax, and thereby impose upon the business world, and invites the one in receipt of a large income to conceal the fact, to make a false report and evade taxation." This is what you said of it twenty-five years ago.

It puts the man living in a great city, whose necessary expenses eat up the taxable income, on a par with the man who, living in the small town, can lay by one-half of it. It proposes to fill our land with an army of Federal office-holders; but nothing can please the Democratic heart more than this. "It creates an army of men whose sworn duty it is to prowl about and pry into every man's business except his own. It inaugurates the spy system, and will necessarily compel every business man to lay bare the secrets of his trade or profession." This is what the Democratic party said of it twenty-five years ago. "The merchant and the manufacturer must open his books, and on demand must be sworn as to all his receipts and all his disbursements. It is not a proposition to tax property, accumulations of wealth, but mind and energy. It is a measure that will encourage shiftlessness and idleness." This was the Democratic idea twenty-five years ago.

But, Mr. Chairman, it is a twin sister of free trade. They are to go hand in hand. The farmer of New York must compete with Canada in agricultural products, accounting to a Federal internal-revenue collector for the products of his farm, and risk prosecution in the United States court if eggs and chickens are not counted correctly, and if apples and potatoes are not accu-

ately measured. This will be one of the grand and beneficent advantages to be reaped by the farmers of the North and the great Northwest.

Mr. Chairman, under the wise provisions of the McKinley tariff bill our farmers were prosperous. The flocks were multiplying, the very roosters were crowing more proudly, and every hen, as she came from her nest, having deposited the freshly laid egg, cackled forth the praises of protection, fully conscious of the fact that she had made her industry remunerative to her owner, and had made it possible for him to protect the great American poultry yard. [Applause.] But all this is to be taken away under the provisions of the bill now presented by our Democratic friends.

Mr. MEREDITH. Will the gentleman allow me to ask him a question in all kindness?

Mr. RAY. Yes.

Mr. MEREDITH. Is not the McKinley bill in full force now?

Mr. RAY. Certainly it is—on the statute book.

Mr. MEREDITH. Then why do we see all these evils that you complain of?

Mr. RAY. It is in full force as a law on the statute book, but it is not in full force in the country, because business is stagnated.

Mr. MEREDITH. What has become of the roosters that were crowing so lively?

Mr. RAY. Oh, the Democrats wore them all on their hats, rejoicing over the election in 1892, and now the Democratic laboring men, deprived of all other means of sustenance, are engaged in eating them up, as the only means of preserving their existence. [Laughter.]

A MEMBER on the Republican side. While looking for the good to come under the Wilson bill.

Mr. RAY. The roosters or the laboring men? [Laughter.]

Mr. MEREDITH. Let me ask you one more question. My friend is making a speech, of course, for home consumption.

Mr. RAY. Not at all.

Mr. MEREDITH. Now let us get down to the facts. These evils you complain of have all occurred under the operations of the McKinley bill, have they not?

Mr. RAY. No, sir; they have not.

Mr. MEREDITH. Now, be fair. Have they not occurred under the operations of the McKinley bill.

Mr. RAY. Not at all.

Mr. MEREDITH. No other bill has been in force for the last three years.

Mr. RAY. Our business men anticipate the passage of the Wilson bill. The present condition of the country is owing entirely to the fear—

Mr. DOOLITTLE. And the threat—

Mr. RAY. To the fear of a change in the tariff and to the threat of the Democratic House. [Applause on the Republican side.] These evils all come as the necessary result of Democratic ascendancy in the Senate and House and Executive.

This country was never before so prosperous as it was just prior to the election of 1892.

Mr. MOSES. Did the fear of this Wilson bill take away all that the workingmen had accumulated during the Republican rule, so that they had nothing left to eat but Democratic roosters? [Laughter.]

Mr. RAY. The mere fear did not do that. But the stagnation in business produced by it, the withdrawal of capital from business channels, the closing of our mills, have given an empty dinner pail to every workingman throughout this land, and our working people have been compelled to live upon the little savings which they had accumulated, but which are now well nigh exhausted. The gentleman who preceded me upon this floor [Mr. MCMILLIN] said in the opening of his address, and I want to call attention to it here: "Are your industries humming with the activity of life?" I answer no. Why? Because of the threat of the Democratic party; because of the pendency of the Wilson bill in this House. Withdraw it from consideration here. Pass a resolution declaring that you will stand by the McKinley law for the next three years and business will resume its wonted course, you will again hear the hum of busy industry, the wheels will begin to turn again—

Mr. BLAND. We were told last summer that the wheels would all begin to hum again if we would only repeal the purchasing clause of the Sherman law. [Laughter.]

Mr. MORSE. The Republicans did not say that.

Mr. BLAND. They voted that way.

Mr. RAY. The Republicans did not say that. It was the Democratic Administration that said that.

Mr. BLAND. Oh, you all said it.

Mr. RAY. No. The leaders of the Democracy and of the Democratic Administration said it.

Mr. BLAND. We were promised all these good things if we would only repeal the purchasing clause of the Sherman law.



The tariff, then, had nothing to do with our troubles according to all you gentlemen. It was all owing to silver. [Laughter.]

Mr. MORSE. Not one speaker on our side said that.

Mr. RAY. I did not say any such thing.

Mr. MORSE. Nor any other Republican.

Mr. RAY. I did not say it, and if the gentleman will turn to the RECORD of the extra session and read the speech I did make on the silver question, he will find me saying that while I hoped it would put off the evil day and stay disaster, yet nothing would avert national disaster and universal business ruin unless the Democratic party withdrew its threat to pass a free-trade tariff law and strike down the McKinley bill.

Mr. MORSE. That is right. We all said that.

Mr. RAY. Yes; all the Republicans took the same position here. The other idea to which the gentleman from Missouri refers was evolved from the brain of certain gentlemen on the other side. What more did the gentleman who preceded me [Mr. McMILLIN] say? He said, "To-day more men in the United States are begging for bread than were ever before seen in this country since Columbus discovered America." The gentleman recognized the existing condition, but his partisan zeal or blindness would not permit him to recognize or admit the cause. Take away your Wilson bill from this House. Burn it in the furnace underneath this Capitol, and within the next forty-eight hours you will see the beginning of the return of prosperity. [Applause on the Republican side.] Soon every workingman throughout this country of ours will be seen with a full dinner pail, marching every morning to a day of remunerative toil, and at every eventide returning home to his happy family bearing with him the rewards of a day's honest labor. [Applause on the Republican side.] Give us the McKinley law, and we will give you prosperity.

Mr. HAYES. Have you not got it? [Laughter.]

Mr. RAY. But give us this Wilson bill, and want, misery, ruin, desolation will inevitably result.

Mr. HALL of Missouri. I observe that the gentleman has dodged the question of the income tax thus far. Now, I want to put the straight question to him, to be answered to his constituents in New York: Are you for or against an income tax? Answer the question. [Laughter.]

Mr. RAY. You read my speech in the RECORD and you will know. If you had listened to what I have said you would know; but it is a Democratic failing not to listen to speakers on this side.

Mr. HALL of Missouri. I want you now, for the benefit of your constituents, to answer that question. Are you for an income tax? Yes or no?

Mr. RAY. I have answered that question in the remarks which I have already made, and no Democrat on this floor can dictate to me the order in which I shall make my declarations. [Applause on the Republican side. Derisive cries on the Democratic side.]

Mr. HALL of Missouri. Then I understand that you prefer to dodge on the income-tax question?

Mr. RAY. My views have already been stated here very fully. Every word that I am saying on this occasion will be in the RECORD, and the gentleman may read it. Now listen, while I proceed with the rest of my speech. [Applause on the Republican side.]

Mr. HALL of Missouri. Will you answer my question?

Mr. RAY. I have answered it, and my answer will appear in the RECORD to-morrow. Read.

Mr. HALL of Missouri. One word will answer the question. Will you answer yes or no, so that your farmer constituents may know how you stand on the question of putting some of the taxes of this country on wealth? Are you for the income tax or against it?

Mr. RAY. As a rule, I am against everything Democratic. [Applause on the Republican side.] I suspect it from the very beginning, because of the source from which it emanates. When we have another civil war, or when we have a foreign war, such a tax may be necessary, but—

Mr. ALDERSON. When they have nothing else to say on that side, they bring out the "bloody shirt."

Mr. RAY. I want to say to the distinguished gentleman that I am not in favor of war measures in a time of profound peace. [Applause on the Republican side.]

Mr. HALL of Missouri. I wish to say to the gentleman—

Mr. RAY. I am in favor of the McKinley bill. I am in favor of raising revenue to support the Government of this great country of ours, not only through the means of a tariff for revenue, but through a tariff for the protection of every American industry, every American workingman, and every American home. [Applause on the Republican side.] Can you spell out from that whether I am for or against the imposition of an income tax? [Cries on the Democratic side of "No!" and "Try it

again!"] I condole with the gentlemen for their mental blindness and stupidity.

Mr. HALL of Missouri. I fear that I could not interpret a declaration coming from a man who consumes ten minutes in dodging a plain question.

Mr. RAY. I have answered your question three or four times.

Mr. HALL of Missouri. I did not hear the gentleman's speech. I was necessarily absent from the Chamber during the early part of it, and now can not the gentleman be so kind and courteous as to answer me the plain question and let the answer go to his constituents. Whether he is for an income tax of any kind, or against it? Will the gentleman answer that question like a man?

Mr. RAY. If I had not already answered it, I would answer it again. My answer will be in the RECORD, and will be before my constituents.

Some of my brethren on this side of the House want me to propound a question to the gentleman on the other side, and that is, How the present Administration stands on this question of an income tax? [Applause on the Republican side and cries of "Answer yes or no!"]

Mr. HALL of Missouri. I should think that gentlemen of ordinary intelligence would know that that question could not be answered by yes or no. [Laughter.] I do not pretend to know how the Administration stands, except by the message which came to Congress with reference to the subject recommending an income tax.

Mr. RAY. An individual income tax?

Mr. HALL of Missouri. A tax on corporations. I know what I want and what my people want, and that seems to be more than the gentleman from New York himself knows.

Mr. VAN VOORHIS of New York. How many men in the gentleman's district will pay an income tax under this bill?

Mr. BROWN (to Mr. VAN VOORHIS). Then you oppose it because it collects money from your people.

Mr. RAY. Mr. Chairman, I must object to further interruption because I want time to conclude my remarks. I have something to say which will enlighten the gentleman as to the attitude of the Democratic party on these subjects before I get through.

The farmer is to have no more protection except in the South. Rice, an article of everyday consumption with the middle classes, pays a duty, but the Northern farmer and his products are left out in the cold, cold world, presumably because he persists in voting the Republican ticket. Is this done to produce revenue, or is it done to protect the rice-planter in the South? If an import duty is imposed on one agricultural product why not on all, unless it be those we can not produce in the United States in sufficient quantities to supply our people? In my own opinion—and I trust the gentleman on the other side [Mr. HALL of Missouri] will not be unnecessarily absent while I say this—in my own opinion the whole bill is intended to throw burdens on the North for the benefit of the South.

The income tax is favored by the South because it knows that it will not pay over from 3 to 5 per cent of it, and that the Republicans of the North will have to pay the great part of it. That is why gentlemen on the other side favor it. That is why it is put into this bill. No wonder that our Democratic brethren from New York City "kicked" against this proposition. But, gentlemen on the Democratic side from the city and State of New York, you must take your medicine like brave men. It is salt and bitter, but you must swallow your dose like good children. Do not create dissension in the Democratic party. You are for free trade. You want free trade. You are to get some free trade in this bill. You want English goods and manufactures to suit your fastidious tastes, and the Southern brethren give you a good liberal supply of free trade in the Wilson bill.

In return you must give them the income tax, for is not every department of this Government now filled with officeholders from the South, and from the Democratic districts, and from all over the land? Would you have an empty Treasury? Would you have the salaries of these Democratic officeholders stopped? I think not. No; give them the income tax. Feed your Democratic children who now fill the offices. It will not do to sell bonds all the time.

Mr. BLAND. I should like to ask the gentleman if he does not know that about four-fifths of the gentlemen now in office around Washington are of the old Republican gang that have been here for twenty years? [Laughter.]

Mr. RAY. Oh, no; the gentleman is mistaken. The gentleman who has just spoken belongs to the wrong wing of the Democratic party. If he were with the other wing he would realize the fact that the Republicans are not now in office.

Mr. BLAND. The gentleman belongs to the same wing of the Democratic party that our Democratic friends from New



York belong to, who are opposed to the income tax. You are all together in everything.

Mr. MORSE. The gentleman from Missouri is not one of the "cuckoos."

A MEMBER. Nor one of the assistant cuckoos.

Mr. RAY. There must be milk in the cocoanut if you would have it worth the picking. You are to have the benefit of a large trade in foreign importations and enrich yourself at the expense of the toiling masses. All the South asks is that from the income tax thus derived you contribute a fair percentage to keep the Democratic machine running. Let my Democratic friends from New York State give them the income tax. The opposition to the income tax from Northern Democrats comes with bad grace and is in exceedingly poor taste. Just see what your Democratic friends in the great West think of your action in opposing the income tax. I send to the Clerk's desk and ask to have read from a Democratic newspaper, the Chicago Times, what your Democratic brethren are saying of you on this subject.

The Clerk read as follows:

TAMMANY TO THE FRONT—CROKER LEADS HIS TIGERS TO BATTLE WITH THE INCOME TAX—THEY SWEEP DOWN UPON THE HOUSE AND SET CROKER, TRACY, AND THE OTHERS TO FIGHTING THIS PROJECT—IN SPITE OF ALL THIS THE FRIENDS OF THE MEASURE ARE SATISFIED THAT THE BILL WILL BECOME A LAW SO FAR AS CONGRESS IS CONCERNED—SECRETARY CARLISLE EXPLAINS HIS BOND POSITION.

WASHINGTON, D. C., January 25.

And now comes Tammany Hall to the House barriers to tilt against an income tax. The celebrated Croker, that great Buzgloak and Magsman of Tammany politics, is here in person. One by one every power of political darkness arrays itself against an income tax. Every wolf, every robber who uses the name of Democracy to cloak his plunderings and who cares only for the party so far as he can use it to add a dirty cipher to his bank account, is against an income tax. Cleveland, Wall Street & Co. is against it; every hole in the bottom of the party boat, every party disaster and drawback are against it, and now comes the dragon of Tammany, breathing fire and pestilence, in the person of the great Croker, and it is against an income tax also. The decent justice of the measure might be known at once by a glance at the black front of the opposition.

Croker came over and consulted with BOURKE COCKRAN, SICKLES, and one or two others of New York. He urged them to any method of filibuster or House dilly-dally which would kill off, or, if that failed, put off an income tax. Tammany has a couple of Congressional elections on its hands and not a week away to fill the places made vacant when Fellows and Fitch resigned and went home for good, and Croker could live if he might defer an income tax until after these polls were closed.

BOURKE COCKRAN sprang with a schoolboy eagerness to do the Croker bidding.

Mr. PENCE. What paper is that?

Mr. RAY. That is from the Chicago Times, a Democratic paper published in the city of Chicago. It represents the Democratic idea. Why throw yourselves in front of the triumphant car of Democratic progress; why invite dissension? Why disturb the harmony of this Democratic heaven so feelingly and graphically described by the great Bunyan from Pike County, Mo. [Laughter and applause.] He has attached angelic wings to every Democrat in this House, and tells us that at no distant day you Democrats are to rise like a bevy of flushed quail, and on your angelic wings bear the Chairman of the Committee on Ways and Means through the air and put him on the perch of the Presidency. [Applause on the Democratic side.] What a spectacle that will be. What an angelic flight.

Now, my Democratic friends who oppose the tax, the question is whether you are flying in the procession or wabbling in the grass with clipped wings. [Laughter.] This is your battle. It is your war; not ours. Do what you think best. Oh, ye angelic hosts, as ye gather in your harmony and your peacefulness and contemplate your own loveliness, enjoy yourselves, but do not denounce us as "hell upon earth." We are now happy [cries of "Glad to hear it!" on the Democratic side], except as we contemplate the misery of our country [loud applause on the Republican side], brought on by Democratic measures and Democratic threats.

I trust that the New York Democracy will march abreast of and keep pace with the Democratic procession for tariff reform. Lift high the banner of free trade and make friends with your English brethren. Strike down American industries and rob American labor of employment and the ability to exist. Drive our artisans to the farms; bring iron and coal from abroad; and let the American mines remain closed. Shut up the shops at home and watch the incoming procession of English ships, bearing the British flag at the masthead, with holds filled and decks piled high with foreign goods. We will till the soil and become a nation of farmers, and let Europe do the manufacturing. Europe shall fix the price of what we buy and of what we sell, and again shall we be at her mercy, as we were in 1812 and in the days of the Revolutionary war. What matters it to our Democratic friends that the Treasury is empty to-day? We can replenish it with the proceeds of Government bonds sold, and in a few years, when our credit is exhausted, we shall have returned to the good old antebellum Democratic days when United States government bonds sold in the European markets at a discount of 10 and 12 per cent.

Mr. MORSE. And 6 per cent bonds.

Mr. RAY. Oh, hasten the day, says the free trader of Democratic tariff reform, and pass the Wilson bill. But what will this matter? Our wives and daughters will be milking the cows and working in the fields and wearing calico manufactured in the English mills. Our sons will hold the plow and drive the machine manufactured in the English workshop, and we shall contemplate the ruin of American industries, but trade with Europe will be free.

Mr. Chairman, these are some of the advantages of free trade, the beneficent results of Democratic tariff reform. But thank God they will be of short duration. The American people have in their hearts the American idea of protection to American industry and American labor. They will sustain the American factory and the American home.

They will sustain the Star-Spangled Banner as against all others. The next Congress will be Republican; the next Administration will be Republican, for the bugle notes of Republican victory, which means a victory for the American common people, that were heard resounding last fall from Massachusetts to the Rocky Mountains, are still echoing among the hills and through the valleys, and are cheering the heart of every true American citizen and assuring him of a return to universal prosperity in 1897, when the McKinley tariff shall resume business and bring back confidence and prosperity, give work, wages, happiness, and restore the United States to her proud position among the nations of the earth. [Loud applause on the Republican side.]

Mr. TARSNEY obtained the floor.

Mr. HALL of Missouri. As the time of the gentleman from New York [Mr. RAY] is not out, I ask permission to repeat the question that I asked him awhile ago—is he or is he not against an income tax?

The CHAIRMAN. The gentleman from Missouri [Mr. TARSNEY] has been recognized.

[Mr. TARSNEY addressed the committee. See Appendix.]

[Mr. DINSMORE withholds his remarks for revision. See Appendix.]

Mr. DANIELS. Mr. Chairman, the gentleman who has just resumed his seat [Mr. WELLS] has stated that it is a part of the design of the present measure to bring back our Government in its revenue system to the method of raising revenue which preceded the present period. But in looking back upon the history of revenue legislation by Congress members will fail to see any period when a resort was made to a measure of this character except on one occasion, when the Government was in extreme want and peril. Upon no single occasion since our Government was organized, with the exception of one when the necessity was so overruling as to require taxation to be resorted to in every possible form, has a measure of this character been brought before the National Legislature.

Only when it became necessary to adopt every possible expedient for the purpose of raising money to maintain the Government has a measure of this kind been resorted to. When a bill to impose an income tax was heretofore brought into Congress it was to meet a necessity which had arisen out of the imperious demands of uncontrollable circumstances. It was passed under this imperious state of necessity; not because it was necessary to meet the wants of the Government on ordinary occasions or under ordinary circumstances, but because there was a necessity that had been brought upon the Government by the perils of war, that required every possible contribution to be made for the purpose of meeting and supplying the means for the disbursements of the Government.

At the time when this bill was introduced, and afterward when it became the law, and during the whole period while it was in process of execution, it was condemned in the most unmeasured terms by the gentlemen who represent that party that has now brought this bill before this House for enactment. It was considered by that party to be an unconstitutional and oppressive measure, one that no language could be commanded to describe in sufficiently objectionable terms. And it is a remarkable fact in the history of this measure that when the Democratic party pronounced its judgment upon that bill it was to pronounce the law itself unconstitutional.

It is also a part of the history of this measure that the great leader of the Democratic party, Samuel J. Tilden, always contended that the law was unconstitutional, and for that reason he declined to make returns under the exactions of the law of the income he was receiving from his property; and as a matter of fact he never paid a dollar's income tax, unless it was the amount that was assessed upon him by the internal-revenue officer and independently of the requirement that he should make a return voluntarily himself.

This met with the approval of the great party to which Mr. Tilden belonged, and whose representatives have now—or a fac-



tion of which has to-day—brought before this House this objectionable measure, in a time of profound peace, simply to meet a deficiency voluntarily created, to deprive domestic industries of just protection and for the purpose of resorting to extreme legislation of this description. No word was uttered when the convention was held in Chicago in 1892 that would sanction the idea or promote or sustain the theory that is now underneath this proposed legislation. On the contrary, the resolution which was adopted by that convention in reference to revenue matters, left the action of Congress to be entirely in harmony with that which had previously existed during the history of the country, but discarding incidental protection to home industries, with the exception of this one single instance, when a bill of this character became a law—that is, to raise revenue by means of duties upon imports which should meet all the wants and necessities of the Government in the course of the exercise of its authority and the performance of its functions.

I desire right here to call the attention of these gentlemen who are promoting this legislation to the resolution which formed a part of the platform of their party when the convention was held in Chicago in 1892. Its provisions upon this subject are as follows:

We declare it to be a fundamental principle of the Democratic party that the National Government has no constitutional power to impose and collect tariff duties, except for the purpose of revenue only, and we demand that the collection of such taxes shall be limited to the necessities of the Government, honestly and economically administered.

This on its face you will see contains the implied authority, and substantially asserts the duty to maintain the system of revenue so far, by imposing duties upon imports, as to meet the actual wants and necessities of the Government. Not a word is lipped, not an implication is found in this resolution that would sanction the idea that Congress should be called upon to report and maintain and enact a bill of this character into law to supply deficient revenue, deliberately caused by withdrawing the protecting hand of the law from industrial pursuits.

On the contrary, the entire system which is maintained by this resolution of the Chicago convention is that which had preceded the adoption of the resolution, with the exception of the principle of incidental protection; and that is, that the revenues of the Government, for the purpose of meeting its expenditures, should be derived wholly from imposts upon imports, brought into the country from foreign countries. This is the entire theory and scope of this resolution, and it placed upon the Democratic party, so far as it could place any duty upon that party, the obligation of bringing in some measure here that would secure sufficient revenue for the Government, by duties upon imports, to support and maintain it.

If it had been stated in these resolutions, or in this platform, in any form whatever, that this party was committed to the creation of a deficiency to be supplied by the introduction of a bill of this character, and its enactment into law, the time never has existed—it certainly did not exist in November, 1892—when the Democratic party could have secured the election of the present occupant of the White House. The people would not have sustained the party with such a policy before it, with such a determination to be carried into effect by means of legislation. On the contrary, the platform is framed in such words as to be consistent only with the entire preceding course of government upon this subject, with the exception of condemning protection, and it does condemn that undoubtedly in the most unequivocal language.

But aside from the question of protection, the system of revenue recommended, prescribed, and maintained in this platform is that the wants of the Government shall be wholly supplied by means of duties imposed upon articles imported into the United States. If we look back into the history of the country we shall see that the people have always been satisfied with the principle that the wants of the Government should be supplied in this manner, and in this manner only, with the additional circumstance that in extremely rare instances only have duties failed to be incidentally extended to maintain and promote American manufactures. This source of revenue, with incidental protection to domestic manufactures, has been the prevailing theory of the Government from the time of its first existence down to the present, and it has always been productive of a degree of prosperity in marked contrast with the state of things now existing throughout the country.

Whenever proposed legislation of this description has been produced and matured into law, destroying substantially the system of protection, it has been followed by the same disturbance of business as now exists, though not to the same extent.

The gentleman from Tennessee [Mr. McMILLIN] says that we are now involved in a state of industrial disturbance such as has never been equaled; that the number of persons who are unemployed is greater than the number of unemployed at any time during the previous existence of the Government. Yet it is pro-

posed by means of this legislation to still further disturb the industrial condition of affairs and the business interests of the country.

Why is it that so many people are unemployed? Why is it that business has been so generally and effectually disturbed and broken up? Because there has been a threat, and that threat was made in the Chicago platform—the threat of legislation that should destroy this principle of protection and leave our industrial interests conflicting with those European countries that have the advantage of cheap labor and cheap material, and in that way to destroy the prosperity and the successful pursuit of business interests on our part. That is the cause; that is the reason. It is that menace which has disturbed the business interests of the country and sent so many people out of employment as are found in that condition to-day.

The gentleman from Tennessee undoubtedly is right in the statement he has made that at no period during the history of this Government have so many people been out of employment. Why is it? While the administration of the laws was in the hands of the Republican party there was no difficulty of this character. The laws have not been changed, and if they had been maintained and enforced without this threatened interruption or interference, or fear of interruption or interference, by a measure of this character, there is no reason for supposing that the business interests and prosperity of the country would have been disturbed in any manner whatever.

It is the logical result, the necessary effect of this threatened legislation, to produce just the results upon the industrial interests of the country that have been described so eloquently by the gentleman who stands as the father or the foster father of the bill for taxing incomes.

The people who have been engaged and are engaged in manufacturing, and the people who are engaged in importing foreign merchandise, alike saw the perils to which they were to be subjected by the threatened legislation that was to be brought forward under this declaration that I have read, denouncing all protection of American industries. The manufacturers themselves were unable to proceed with the transaction of business as it had existed previously, because it was apparent that if legislation of this character matured into law their business would be carried on at a loss, and that bankruptcy instead of prosperity would be the unfortunate result.

So it has been with the importers. They could see that under the provisions proposed to be enacted in the Wilson bill, duties were to be reduced very largely, from probably 45 to less than 30 per cent; and that, therefore, importations could not be made with the expectation of realizing profit upon them, or, indeed, of making any sales, except at a large loss, in case of this change in the legislative condition of the country.

It was natural, therefore, that persons who were engaged in both these occupations, both manufacturers and importers, should see and submit to the necessity which prevented the profitable continuance of their business. Importers avoided the importation of merchandise from foreign countries, because they saw that when the articles which they were engaged in importing should come upon the market, under the new tariff, that there would be no possibility of realizing their cost and the expenses of importation.

Manufacturers have found it equally as necessary to submit to the same imperious control. It became at once obvious to them that only losses would follow their manufactures prepared for a future and falling market. The proposed revenue system, attended as it must be by diminished consumption and contracting prices, would entail losses more certainly than profits. And to assist these inevitable losses by a surplus of unsalable goods, a suspension of business in whole or in part became the only alternative. Prudence dictated no other course, and diminished employment has been the result. And it is to that circumstance, and that circumstance alone, that the changed industrial condition of the country is due.

What has occurred since the fall of 1892 or the spring of 1893 to arrest the prosperity and progress which then characterized this country, and under which every man was employed and had a fair remuneration for the services rendered by him, unless it be the threat of legislation of this character tending to disarrange and interrupt the successful business progress of the country? There has been no other interposing circumstance, no other event in any form whatever, that can be regarded as the cause of these disturbances, nothing except this threat on the part of the prevailing party to disturb the business interests by means of this legislation.

This fact will become entirely apparent if we consider that if this legislation should be at once suspended, or if the threat to incorporate it into the laws of the country should be withdrawn or brought to an end, and the people should be assured that no change would be made in the industrial legislation of the coun-



try, prosperity would be at once restored. There can be no question at all on this subject when we look at the facts and circumstances which have brought about this derangement to the course of trade and business.

I repeat, it is because of the threat of this legislation that these disturbances have taken place. Our laws are the same today as they were a year or two ago, and if the administration of them was in the hands of the party friendly to their execution and maintenance there can be no question at all that the preceding state of prosperity would have continued. But manifestly, it is because of the threats of these changes which have been made by the majority of this House and the power, combined with the probability of their enactment, business disturbances have been produced throughout the country.

Now, Mr. Chairman, in framing this bill for the purpose of supplying revenue for the support of the Government, as far as that can be done under its provisions, there has been a purpose, a design, to so frame it that it should not meet the wants and necessities of the Government and provide the necessary revenue for that purpose, as the Democratic party had expressed its obligation to do in the resolution I have cited. It was the policy and the theory of the convention that nominated Mr. Cleveland, as well as the policy and the theory of the Democratic party upon all preceding occasions, to levy duties upon imports to an extent sufficient to meet the entire necessities of the Government.

This bill is the only exception in that respect of an intentional character that has occurred, for it was evidently intended, as is apparent from the report of the Committee of Ways and Means, and from the character of the bill, to create a large deficiency. The design has been by reducing duties on imports, to leave this deficit, to justify a resort to an income tax. The Democratic party condemned legislation of this character by Congress when it took place on the only preceding occasion in the history of this country. By this resolution of the Democratic convention in 1892 it also stands in direct hostility to this species of legislation. The party was never willing to acknowledge it as one of the elements of its political creed, and that it should resort to an extreme measure of this kind, for the purpose of supplying an intentional and needless deficiency in raising revenue to provide for the expenses of the Government, is a direct departure from all that party's previous policy.

Upon no other occasion before the present time has it been the design to so levy the duties as not to meet the expenditures of the Government. For a deficiency was not expected to arise even under that legislation which has been referred to and extolled by gentlemen upon the other side, which unfortunately came upon the country in 1857. At that time the duties were put down to something under 20 per cent—19 and a fraction per cent, I think—upon foreign imports brought into this country, and the revenues received under that tariff were found to be insufficient for the support of the Government, so much so that towards the end of Mr. Buchanan's Administration it became necessary to go into the market, as the present Administration is forced to go into the market, to borrow money to pay the ordinary expenditures of Government.

Upon that occasion, in June, 1860, a loan was provided for at 6 per cent for the sum of \$21,000,000; in the month of July another loan of ten millions was provided for at the same rate of interest, for the purpose of meeting the ordinary expenses of the Government. That is the system that it is proposed shall be practically repeated to-day, and by means of which alone will the Treasury Department be enabled to meet its obligations. It is stated as a fact that for the present month the duties upon imports are something like \$9,000,000, nearly one-half less than they were one year ago. This is not because the law does not provide for the collection of ample duties upon imports, but it is because the revenue bill before the House and the fears of the effects of that bill upon the trade and prosperity of the country have paralyzed foreign importations, as they have paralyzed the manufacture of commodities in our own country.

That is the cause. There is the difficulty. There is uncertainty, there is apprehension as to the future condition of business, and that is at the bottom of this present deficiency in the revenues from the duties on imports, as it is at the bottom of the disturbance in our manufacturing interests. The threat and the apprehension that radical changes are about to take place that have never been sanctioned by any action on the part of the Democratic party prior to the time when these bills were brought before the House for enactment, is the great cause of all this disturbance of our business prosperity.

Now, if there shall be any doubt about this, as petitions have come in from all quarters of the country, as remonstrances have been sent in to members from all quarters interested in trade and the progress of manufactures against the enactment of this Wilson bill and against all the expedients that may be resorted to

for the purpose of changing the existing system—if any doubt exists as to whether this bill is a menace to trade and a menace to business and prosperity, why not delay all action upon it for the present and until the people in the election in 1894 shall be heard from, and when the expression of their sentiment upon the subject shall be known? And if the people shall be willing to say that they are in favor of defective legislation of this character, restricting so greatly all incidental protection and depriving the Government of its usual resources only to be supplemented by a bill of this nature, an easy course will be presented to secure the enactment of these laws and place them upon the statute books as the governing policy of the country.

But at the present time remonstrances are sent from nearly every business, from every quarter, not in the North, not in the East exclusively, but largely from the Southern States, against the enactment of this system of laws that are now proposed. You have by the proposed legislation not only encroached upon and threatened with devastation and destruction the interests and the business pursuits of a large class of people in the North, but you go down to the State of Alabama, and there in like manner injure the interest of the iron and coal developments that have just fairly come into the markets, competing, as they do, with the industries that have prospered in the North for so many years.

You also go into the State of Louisiana, where the sugar industry has been promoted and prospered by the law now on the statute books, and strike down an industry in which the people are very extensively interested; and they are against the enactment of this revenue bill into law by Congress. So are the lumbering, the iron and coal mining, beet sugar, and other important occupations and the extensive carrying trade, impressed with a just state of alarm at the prospects before them.

There is a feeling throughout the country that the final arrest of activity through the means of this legislation simply awaits those interests, and it is for the purpose of making that disturbance more secure and more disastrous that this great deficiency has been left in the amount of revenue that the bill will supply for the support of the Government, and an opportunity has been afforded and means have been presented of bringing an income bill forward to supplement this other defective legislation.

Now, it is said on the part of those who favor this legislation, that it will reach the pockets of persons who have never been obliged to contribute the amount that they should have contributed towards the expenses of the Government. But when the systems of taxation, State, municipal, and national, as they now exist are looked through and considered, it will be found that they extend to all classes in the community; those who are wealthy paying more than those who are not wealthy; and wherever any persons may escape the consequences of the present systems of taxation, they are obliged, indirectly, to contribute to those consequences by the necessities to which they may be subjected in their relations with other members in the community.

The poor have never escaped the burdens of taxation, because it is not laid expressly in terms upon them. You place it, as this bill proposes to place it, upon a certain class of people, and it is sure as the fact of its existence in the end to come proportionately upon the poorer and more needy of the community. These things always equalize themselves. If a tax is placed upon real estate, when that real estate is rented the rent of the property is increased correspondingly, for the purpose of bearing its proportion of taxation; and so it will be here.

If a tax is placed upon incomes of persons over and above the amount of \$4,000 and upon corporations, in which individuals may own only a single share of stock, it will come proportionately in the end upon that class, and they will be made to bear the burden with the other members of the community who are in more prosperous and more affluent circumstances. All insidious devices will be readily avoided, and justice meted out to all the people only by sustaining the Government by revenues derived from duties on imports, and their incidental distribution in the protection of domestic industries. That will close the doors to this needless legislation, and insure a continuance of the thrift and prosperity which has been so unwisely interrupted by this threatened and impending deficiency. The true policy is to abide more by the past than to make these experiments with the future. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I believe it is a truism that government is a piece of human machinery designed for the purpose of protecting the individual in the enjoyment of his right to life, limb, property, and the pursuit of happiness, as against the trespasses of other individuals. Government is a sort of human contrivance, which serves as a fence to guard the crop of personal rights to which every man is entitled. The aim of government is "equal protection." Abso-



lutely equal protection can of course never be obtained under any human government. All that can be obtained is approximately equal protection to all citizens.

The fact that you can not guarantee equal protection grows out of the condition of natural inequalities met at the outstart. You may protect all men's lives equally from the assault of other men; but you can not protect all men's property, because it is not true that all men have property. Furthermore, when you protect a man's money you protect his life in a higher sense. When you protect the money with which he may buy warm clothing, abundance of fuel, healthy and nutritious food, the best medical attendance, change of climate, etc., you have given that man, in protecting his money, a measure of protection to his life itself which you can not extend to the life of the man who has no money with which to buy these things which ameliorate the conditions of subsistence and prolong human life itself.

You can protect the tenement-house dweller only in what he has; and that is unhealthy physical surroundings, badly ventilated bedrooms, moral rot, intellectual starvation, hunger and shivering. You can not for the life of you extend equal protection. But it is none the less the aim of government to do it; and in undertaking this duty government has the right to demand from each citizen in order to extend this protection, what? A sacrifice. And what sort of a sacrifice? An equal sacrifice; and that is all. To sum up: The aim of government is equality of protection; the result of government is approximate equality of protection for all, attained by approximate equality of sacrifice on the part of each.

Now, government has a right to such revenues as are necessary in order to answer the ends and aims of government economically administered. This is taxation. That is also a truism, as well as that in collecting the money for this purpose it has the right to demand from each citizen only an equal sacrifice, nothing more. This is the limitation in justice of the right of taxation. Natural inequalities exist, and I am certainly no leveler. But while you can not so frame your laws as to bring about absolute equality of protection, nor so frame a system of taxation as to secure absolute equality of sacrifice, you can at least so frame your system as not to increase and emphasize the already existing inequalities among men. You need not legislate men into consumption, into pneumonia, into rheumatism, into sin and suffering.

Every tax upon the necessities of life is a tax which tends towards legislating men into consumption, pneumonia, and disease, moral and mental. It is a tax upon the fuel that keeps the man warm, upon the warm flannels which he requires for clothing, upon the tenement he lives in, vitiating by remote consequence the very air that he breathes.

Therefore you may lay down as the basis of all taxation this maxim—that equal sacrifice is equal taxation; that unequal sacrifice is unequal taxation. All the doctors of finance and economy, and chief among them John Stuart Mill, lay that down as a canon. Mr. Richard T. Ely, in a learned disquisition, a part of which I shall incorporate in my remarks, says that "equality of taxation is impossible in any community without an income tax." Let me read his language on this subject:

It has already been stated in this work that the farmers of Maryland and her sister States, and other hard-working people, are right in their feeling that all men of means should contribute to the support of government in proportion to their ability. It is a just grievance, that men who can amply afford to bear a part of the burdens of government do not participate in them, while they do derive inestimable benefits from the existence of government. There is one way and only one to remedy that evil, and that is by an income tax which requires calm and judicial examination, undisturbed by the hue and cry raised by tax-dodgers, or even by the prejudiced.

First, it is universally or almost universally admitted that no tax is so just, provided it can be assessed fairly and collected without difficulty. More nearly than any other tax does it answer the requirements of that canon of taxation which prescribes equality of sacrifice. Furthermore it is of moment that the income tax, unlike license charges, does not make it more difficult for a poor man to begin business or to continue business. Its social effects, on the contrary, are beneficial, because it places a heavy load only on strong shoulders. Even for men of large means engaged in business it is a tax to be strongly recommended, for such men will in some years make little or nothing, or even lose money. Now, our property tax is merciless; it exacts as much in a year when a business man is struggling to keep his head above water as in a year of rare prosperity; whereas the income tax exacts much only when much can be given without financial embarrassment. If it were practicable to substitute an income tax for the whole of the property tax, it would save many a man from bankruptcy. I will repeat, with some modification, in this connection, words I used in my special report as member of the Baltimore tax commission.

It is the fairest tax ever devised; it places a heavy burden when and where there is strength to bear it, and lightens the load in case of temporary or permanent weakness. Large property does not always imply ability to pay taxes, as taxes should come from income; even when assessed on property it is only an indirect device for estimating income. An income tax spares the business man in season of distress and helps him to weather the storm, but asks a return for the consideration shown him in days of increasing prosperity.

Again, why should the man with a large income but with no property escape all share in the common burdens? There is a considerable and increasing class living in great comfort on incomes of large proportions, say five, ten, twenty, thirty or forty, or even fifty thousand dollars, who by insurance and various devices, protect themselves and their families for the future and yet pay no taxes. This is an injustice to other classes and a

harm to the commonwealth, because these men are often careless and indifferent about their public duties, knowing that their income is not affected by high or low taxation. They appear to pay nothing to government, and as it seems to cost them nothing, they too often care little for it.

One of the reasons of poor government in our States and cities is to be found in the failure of large and influential classes to concern themselves about practical politics. They often speak of politics with an affectation of superiority, as if they were above anything so base and common. This attitude is not uncommon among professional people, as lawyers, physicians, and teachers. These men have opportunities for personal cultivation and for gathering knowledge which are better than those enjoyed by other members of the community, and their influence ought to be large and beneficial. They must pay taxes because indirect Federal taxes form a part of the price of commodities which they purchase, and because a considerable portion of our direct taxes, like the tax on house property, is shifted and reaches them indirectly. This, however, is not noticed.

What is needed is a tax varying with the public needs, and with the integrity and efficiency of administration, which will reach the great mass of citizens—a tax which will directly and immediately rest upon the tax-bearer. We have too few payers of direct taxes in our States and cities; but the income tax is a tax which is felt and which must be paid by the tax-bearer. It is precisely the kind of a tax needed, and it is beyond question that it would change the attitude of a large portion of the community towards government.

The incomes enjoyed by the professional and salaried classes and some others are frequently the results of large expenditures in cultivating one's powers, and they create what can be called personal wealth. One man spends \$10,000 in preparing himself for some lucrative position, and derives therefrom an income, but pays no taxes, while the man who spends \$10,000 on a farm must contribute every year a sum large in proportion to income for the support of the Government.

I especially call your attention to the language, "A tax varying with the efficiency and means of public administration," a tax which will interest the taxpayer in watching the politicians in order to see that they do not lay too heavy burdens upon the backs of the people; in order to see that government is neither extravagantly nor dishonestly administered.

And by the way, gentlemen, in defining government a moment ago I might have given a more practical definition of it. It is a collection of a certain number of politicians who are appointed agents of the people for the purpose of carrying on public affairs, and if there is not such a system of taxation as that the people feel and know what they are paying and can put their hands upon the shoulder of the politician who has laid the burden upon them, then it is an uneconomical and inefficient system.

Now, my friends, before I proceed in the discussion further, I want to dwell upon one idea, at the threshold, as a Democrat. It has been said, as a matter of partisan consideration, that in framing the Wilson bill we have given a slap at every class interest in the country, and at every corporate moneyed interest—at the plutocracy of the country in all its branches. That is true. We have struck the cordage trust, Standard Oil trust, sugar trust, lead trust, steel-rail trust—all trusts. We could not reform the tariff without doing it, unfortunately for us as a party, speaking merely from the partisan standpoint.

I know there are two classes of men who make arguments, not for the sake of the good that there is in the argument, not for the sake of the public benefit, but for the sake of the votes to be gained. One is the demagogue, who addresses himself directly to the passion and prejudice and communistic tendencies of the mob for the purpose of obtaining votes, and foisting himself into public position. He makes his argument regardless of the permanent welfare. The other is the man to whom I want to give a name to-day, to frame an English word. I shall call him the plutagogue, the man who makes his address to the "secret-service" of the party, in the rear, to the men who furnish the "campaign fund" to carry on elections. The former appeals to Demos, the latter appeals to Plutos, and I call him the plutagogue.

I call his addresses plutagogy; and whenever I find a man on the floor of this House who is speaking with a view to accumulate a campaign fund I think he is a little bit worse than a demagogue, because a demagogue appeals to the mob directly and this fellow is appealing to the man who buys the mob. [Applause on the Democratic side.] But if it be true—and it doubtless is true—that we have given a slap in the face to all the trusts of this country, then I say it follows all the more necessarily, it is *a fortiori* true, that the Democratic party should now throw itself headlong upon the support of the people themselves. There is no hope for us as a party anywhere else. I am glad that in the Wilson bill we have burned the bridges behind us. You can not conciliate and pacify and gain the votes of these plutocrats. A stab half an inch deep makes as much of an enemy of one of them as a stab that goes a foot deep. You have given the stab. You could not help giving it, and now you must throw yourselves altogether upon the common people of the country, ever the natural support of the Democracy, and trust to the common sense and the common conscience of the common people, which is, as I believe, the instrumentality of God for the ruling of democratic peoples in a state of civilization. [Applause on the Democratic side.]

Mr. Chairman, this income-tax bill has been spoken of as if it were some new thing in the world, some Populistic vagary that



had come to light for the first time in the Fifty-third Congress. Every democracy since the days of Solon in ancient Athens down to now has resorted to an income tax as the most equal of all taxes, and therefore as the most democratic; the object of a democratic government being to secure liberty, fraternity, and equality, and equality not by any means the least of the three, being instrumental in the maintenance of the other two. Aristocracies have for obvious reasons never favored it.

I find that Mr. August Böckh, in his work on the "Public Economy of the Athenian State," states that the avowed principle upon which Solon based his income-tax law was the principle which I have stated. And as this is an interesting bit of old reading, I will read it to you. It shows that wisdom does not spring up in the nineteenth century. Solon had a little of it. This was what he stated to be the right principle:

The smaller the income of a citizen, the less in proportion should the state take from an equally large part of it compared with the higher income of another citizen. For every citizen must first obtain a maintenance for himself and his family, and the poor man, compared with his richer neighbor, suffers if he be taxed in the same proportion, and at the same rate.

And he further says:

This principle might be carried into effect in two ways; either by the poorer class paying a smaller portion of their property than the higher, \* \* \* or by the taxable capital being so rated that only a part of the property of the lower class should be considered taxable. The first method is of difficult management; the second is much the more judicious. The government of the state knows what is the sum total of the whole taxable capital of the country and its own wants, and can at a single survey determine what portion of the taxable capital is to be demanded.

Now, gentlemen, let me illustrate the truth of this. Suppose you levy an income tax of 10 per cent upon the man who has an income of \$100, upon the man who has an income of \$5,000, and upon him who has an income of \$100,000. What have you done? You have taken from the man with \$100 income, \$10, but what have you taken? Not money, but what money could buy, and what he would have bought with it. You have taken from him fuel, flannels, medicines—the necessities of life.

Suppose you take \$500 from the man who has an income of \$5,000. What have you taken? You have taken from that man some of the comforts of life, a higher degree of education for his children perhaps, lithographs or engravings, books that he might have wanted. That is his sacrifice. It is a sacrifice of comforts, of refinements of life, but not of prime necessities. Suppose you take \$10,000 from the man in possession of a hundred thousand dollars a year. What have you taken from him? Not necessities, not comforts, not even refinements, but luxuries. I might go further and say you have simply taxed out of his surplus, over and above luxuries even, a part of what was his, for purposes of display or of charity.

This is no new principle. The Democratic party recognizes the philosophy of it in tariff legislation when it says that the taxes ought to be put upon luxuries rather than upon necessities. To tax the latter involves suffering; to tax the former involves sacrifice only. All of your State laws recognize it when they exempt a homestead for a man. Why? Because the State must leave a maintenance for a man, something to keep him and his family from being a burden upon the balance of society.

The CHAIRMAN. The time of the gentleman from Mississippi [Mr. WILLIAMS] has expired.

Mr. STALLINGS. I ask that the gentleman be allowed to proceed for five minutes.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Mississippi [Mr. WILLIAMS] be allowed to proceed for five minutes. Is there objection?

Mr. WILLIAMS of Mississippi. Mr. Chairman, I want to set a good example for this House. I want to object myself to that request; I can extend in the RECORD, and there are about two hundred other men who want to speak. [Applause.]

Mr. CHARLES W. STONE. Mr. Chairman, since the House disposed of the question as to the duty upon petroleum, I have received from the United States consul at Batoum, Russia, a letter which is by far the most complete and comprehensive statement of the facts relating to that industry in Russia which has come to my attention and also states certain facts in relation to action taken by the Russian Government, demonstrating conclusively, I think, that Russian oil can, in the near future, be laid down in the United States seaports at a cost not exceeding 50 cents per barrel. This letter seems to me so conclusively to demonstrate the folly of our inviting the importation of Russian petroleum, that I think the members of the House should have the advantage of the information contained in it before final action is taken.

Mr. BROOKSHIRE. May I ask the gentleman a question?

Mr. CHARLES W. STONE. Yes.

Mr. BROOKSHIRE. I understand that the Standard Oil Company own the oil wells of Russia.

Mr. CHARLES W. STONE. The gentleman is very much at

sea in relation to that information. As I understand it, the Standard Oil Company do not own a single oil well in Russia.

The CHAIRMAN. The Clerk will read the letter handed up by the gentleman from Pennsylvania [Mr. CHARLES W. STONE].

The Clerk read as follows:

UNITED STATES CONSULATE,  
Batoum, Russia, January 4, 1894.

DEAR SIR: I beg to acknowledge the receipt of your letter of the 11th ultimo, which reached me yesterday.

I am afraid that I can add little to the information regarding the oil business of Russia to that already given by the annual reports from this consulate, which, I presume, are on file in the State Department. However, in order to spare you the time and trouble necessary to look up those reports, I will give you here the facts and figures they contain, as concisely as possible.

The total production of Russia reaching the markets of the world at the present time comes from the vicinity of Baku, from the districts of Balakhan-Sabunchi and Romani, about 8 miles north of Baku, and Bibi-Eibat, a couple of miles south of the city. The area of the developed territory is probably not more than 2,000 to 3,000 acres, but in neither district is the limit of the profitable territory yet known, and there is, at present, no effort being made to ascertain it, because the known territory seems quite sufficient to supply all the oil that will be required for some years.

The following figures show the amount of the crude production of Balakhan-Sabunchi-Romani and Bibi-Eibat since 1883, in barrels of 42 gallons:

Year.	Total production.	Daily average.
	<i>Barrels.</i>	<i>Barrels.</i>
1889	24,944,562	68,341
1890	29,194,728	79,985
1891	35,842,078	99,567
1892	37,024,022	110,520
1893	46,042,928	137,853

The production given for 1893 is only for the eleven months ending November 30, as the figures for the whole year are not yet obtainable.

The production for the past year has apparently been curtailed only by a lack of necessity for the oil, as the average daily production during the season of Volga navigation, i. e., from April to November, was greater than at present. It is during this season that the whole of the home trade for the year is supplied by shipment via the Caspian Sea and Volga River; this water transportation is closed in the winter by the freezing of the Volga. The demand for Volga shipment is usually about 10,000,000 barrels crude equivalent. The number of wells producing during the year I am unable to give accurately, but I am sure that the average number did not greatly exceed 300.

The territory in the vicinity of Baku always has been, and is yet, looked upon as practically inexhaustible by the trade, and, while this view seems ridiculous at first, the more one sees of the territory the less he is inclined to sneer at the opinions of those who have spent many years in operating in it. Ten years ago the average depth of the wells did not exceed 500 feet, but as the shallower strata were exhausted the drilling of course became deeper; but up to the beginning of 1892 it was generally held that there was no profit in going deeper than 1,000 feet. In March, 1892, however, a well was struck in the old territory, at a depth of over 1,100 feet, which started off producing more oil than any other well ever struck, it was said, and whether or not that was true, I do not know, but there is no doubt that this well flowed at the rate of 100,000 barrels per day for a time; at the same time several other wells commenced flowing, and I am sure that the daily production was for a time very little less than 300,000 barrels per day. Since then many large wells have been struck at greater depths than 1,000 feet, and the depth of the lowest oil-bearing stratum is still problematical.

The figures given show the average well to be about 500 barrels, but two to three thousand barrel wells are very common, and there is hardly a time that there is not a well or two giving from 12,000 to 40,000 barrels per day to be seen. I have seen many wells of that caliber, and some that produced 75,000 to 100,000 barrels per day, and I never spend more than three or four weeks in the year at Baku.

The life of the Baku wells is difficult to ascertain, as no one seems to pay any attention to that matter here. The large flowing wells are often stopped by sand, but when cleaned out start flowing again; and some of them continue flowing for years, producing an immense amount of oil; I believe that there has been a number of wells in the vicinity of Baku that have produced from 10,000,000 to 20,000,000 barrels. The pumping wells last well; some of the wells now producing are, I believe, eight or nine years old.

The quality of the crude for illuminating purposes is much inferior to that of Pennsylvania crude, as it does not yield an average of more than 33 per cent refined; some refiners, however, claim to be able to get 40 per cent from it, and I have no reason to doubt this, but with the present low prices of crude and high price of residuum I do not think it pays to run the crude so close. I have alluded to the price of crude as low now, but it is about 10 cents a barrel at wells, and after the exceedingly low prices of last summer, when for a time it could be bought for about 2 cents per barrel, present prices seem high. Refined is selling at less than half a cent a gallon free on board cars at Baku, and residuum—for which there seems to be an unlimited demand in Russia for fuel—is worth about 15 cents per barrel, with prospects for an advance when the Volga navigation opens, because there are no residuum shipments now. Thus from crude, costing 10 cents per barrel, 33 per cent refined and at least 50 per cent residuum are obtained, the residuum alone being worth at present about 8 cents, leaving the cost of the crude for 14 gallons of refined not more than 2 cents.

Of course, labor is very cheap, averaging, I think, not more than 30 cents per day per man all around, refineries and wells.

With the very cheap refined, the only thing that prevents the Russians from taking such of the markets of the world as they might choose, is the railway freight from Baku to Batoum, a distance of 500 miles. This railway is the property of the government and the rate for petroleum products is about 85 cents per barrel. The Russian refiners have always protested that this rate was exorbitant, and have repeatedly petitioned for a reduction, but without success, until very recently. In October last year, at the urgent request of the Russian ministry of finance, the Baku refiners met in St. Petersburg, and under the direction of that ministry signed an agreement to carry on the export trade for five years from the 1st of April, 1894, in combination; later, because of dissatisfaction on the part of a part of the refiners, with their representation in this combination, the "union," as it is called, was divided into two groups, including every refiner in the trade. The ministry offered the inducement, it is said, of a reduction of freight on oil exported of 31 cents per barrel, if the trade would unite and carry on the export



as a unit. This reduction in the freight rate has not yet been announced, but the newspapers say that it will be, just as soon as the two groups of the "union" settle some small differences as to the manner of working together, which, according to the newspapers, will be very soon, as they state that business under the agreement is to be commenced as early as the 1st of February.

The assertion of American newspapers that the Russians are away behind the Americans in refining, transportation, and everything else pertaining to the oil business, is wholly without foundation. From the wells to the refineries near Baku, a distance of from 8 to 10 miles, there are at least eighteen pipe lines with an aggregate daily capacity of more than 200,000 barrels; at Blacktown, the refining suburb of Baku, there are more than one hundred refineries, with an aggregate capacity great enough to supply the world with illuminating oil; one of these refineries has a capacity of 170,000 barrels per week, and is, consequently, probably the largest in the world; many others have a capacity of 50,000 to 75,000 barrels per week. They have had the benefit of the best chemical skill in Europe for years, and they have now had many years of experience, which is worth a great deal. It is true that they are yet dependent upon railway transportation to the seaboard, but the question of the construction of a pipe line from Baku to Batoum has been under the consideration of the government for some time, and it may be decided to construct the line any day. With a pipe line to the Black Sea, unless the American producers are greatly in error as to the cost of piping oil, even the proposed reduced railway freight will seem very high.

Beyond an import duty of about 16 cents a gallon on refined, and \$1.30 per barrel on crude, the Russian Government has done nothing for the oil trade. Recently, however, the Government sent an expert to Europe and America to investigate and report upon the oil trade and the manner in which it is carried on; this fact in connection with the recent arrangement at St. Petersburg, which was made at the request of the Government, would make it appear that the Government was waking up to the importance and possibilities of this industry, and might soon be expected to render it some material assistance.

With the anticipated reduction in the railway freight, and present prices of refined at Baku, Russian illuminating oil can be delivered in Batoum for about 1½ cents per gallon. What it would cost to put Russian oil into the United States it is impossible for me to say, but steamers have been chartered from Poti (about 30 miles from here) to New York at 6¢ shillings per ton, which is equivalent to less than 1½ cents per gallon.

The following figures show the annual output of petroleum products from Batoum since 1888, in American gallons:

	Crude and residuum.	Lubricating.	Illuminating.	Total.
1888	4,824,070	9,073,305	147,072,170	160,969,545
1889	4,149,685	10,634,060	189,130,440	203,914,785
1890	6,940,180	20,509,430	212,807,250	240,256,860
1891	7,276,740	21,968,145	239,731,235	268,976,120
1892	6,934,050	26,828,745	254,949,085	288,711,880
1893	8,005,890	27,888,745	287,615,185	323,509,820

You will notice that the Russians have more than doubled their output in the last five years, and you know what low prices for crude in the United States they have had to contend with; therefore I think you will agree that this is a very good showing for such slow and unenlightened people as the Russians are supposed to be in the United States.

In commencing this, I said that all Russian oil now reaching a market was produced in the neighborhood of Baku; but there has been another field opened very recently, which seems even a greater menace to the American trade than the older territory.

Near Grosnoe, a town north of the Caucasian Mountains, in the valley of the Terek River, and between the town of Vladikavkas and the Caspian seaport of Petrovsk, a little oil has been produced for years from shallow pits, as was formerly the case in the Baku territory; the amount was insignificant, as it could not compete with Baku, owing to lack of railway facilities. Several years ago, however, a railway from Vladikavkas to Petrovsk was commenced, and when it was known early in 1893 that this road would be opened for freight in a few months, drilling in the vicinity of the old pits was begun, and in October the first well was completed at a depth of 441 feet; this well commenced flowing 6,000 barrels per day, but there were much sand and water with the oil, and the well soon stopped. On November 30 the second well was struck at the depth of 196 feet, and it commenced flowing at the rate of more than 100,000 barrels per day, pure oil; it settled down, however, after a day or two, to 40,000 barrels per day, and when I last heard of it it was doing 15,000 to 20,000 barrels per day. Since the striking of the second well the first well has been cleaned out, and the last reports say that it is doing 1,200 barrels of oil per day. The specific gravity of the Grosnoe crude is about the same as that of Baku, about 0.874, or 30 Beaume.

If the Baku refiners can sell their product at less than half a cent a gallon, drilling more than 1,000 feet, who can say how much cheaper refined oil can be sold from this new and much shallower territory.

I have shown you, however, that the cost of the oil plays a much less important part in the export of illuminating oil than the cost of railway transportation. Grosnoe is about 100 miles nearer the port of Novorossisk, on the Black Sea, than Baku is to Batoum, and the railway from Grosnoe to Novorossisk is a much more inexpensive line to operate than the Baku-Batoum line, because it is without the heavy grades of the latter; therefore a much lower freight rate is expected from this new territory to the seaboard than from Baku. A week ago some of the people interested at Grosnoe made the statement that they were assured of a rate of 48 cents per barrel to Novorossisk, and if this is true, it will be a very serious matter, not only for the American, but also for the Baku trade, unless—which is exceedingly probable—the Baku-Batoum rate is reduced to correspond to the Grosnoe-Novorossisk rate. Novorossisk is also almost a day's steaming for a cargo steamer, nearer the Bosphorus than Batoum; and when this new territory commences to make itself felt in the markets of the world which will be when they construct a pipe line to the railway and refineries (which will not be long, as the work has already been commenced), a material reduction in the price of refined is almost certain.

Baku can undoubtedly produce sufficient oil to supply the world, outside of the United States, and if this new territory comes anywhere near fulfilling its promises, Russian refined will be able to successfully compete with the American article (at 50 cents a barrel for crude) in the Atlantic States of the Union.

I must not neglect to inform you of the fact that a search for new territory in many places near the Black Sea coast has been going on for years, fortunately, as yet, without success; but there are many locations near the Black Sea where very good indications of oil are to be found, and while the possibility of a new field being discovered in any of these places may be considered very remote, still it can not be ignored. With a supply of crude on the Black Sea coast, the great expense of railway transportation will be avoided,

and refined oil can be delivered on board vessels that can reach any part of the world at present Baku prices, which would make it possible to put it into the United States at less than 2 cents per gallon.

In the hope that you will find this information of some use, I am,

Very respectfully,

JAMES C. CHAMBERS.

Hon. C. W. STONE, Washington, D. C.

Mr. HALL of Missouri. Mr. Chairman, during the discussion of the income-tax law of 1842 one of the ablest English financiers used this expression, and I am here for the purpose of defending that statement and showing that he announced a sound economic principle:

The original proposition respecting the income tax was warmly defended by the late Mr. James Wilson, who said: "Every tax they imposed will turn out in one shape or another to be an income tax. All taxes were taxes on incomes."

I am here to defend that statement.

I begin with an author whom, I am very glad to say, the learned gentleman from New York [Mr. COCKRAN] indorses as being the man who carried the pioneer torch of sound economics into the dark recesses of political ignorance; I refer to Adam Smith's "Wealth of Nations." I read from part 2, book 4, page 653, of Dugald Stewart's edition:

The private revenue of individuals, it has been shown in the first book of this inquiry, arises ultimately from three different sources; rent, profit, and wages. Every tax must finally be paid from some one or other of those three different sorts of revenue, or from all of them indifferently.

Every dollar of revenue received by every individual, corporation or copartnership, whether it be the laborer or the capitalist, must be from one of these three great sources, and when he expends any of his means in the purchase of goods he pays his proportion of the taxes where those goods have levied upon them a custom duty.

In accordance with this canon here laid down by Sir James Wilson and by Adam Smith, every dollar of taxation collected by this Government is derived from one of three sources: rents, profits, or wages; these comprise the incomes of all the people of the United States and all of the various peoples of the world. Then, as laying down a sound doctrine of taxation to be assessed on incomes, I quote the following from page 654, of Adam Smith, as the great canon that should govern the distribution of taxation upon those three great sources of revenue or income:

The subjects of every state ought to contribute towards the support of the government as nearly as possible in proportion to their respective abilities; that is, in proportion to the revenue which they respectively enjoy under the protection of the state. The expense of government to the individuals of a great nation is like the expense of management to the joint tenants of a great estate, who are all obliged to contribute in proportion to their respective interests in the estate. In the observation or neglect of this maxim consist what is called the equality or inequality of taxation.

Another one of the great writers that he indorses was M. Thiers, the great French author, who lays down the doctrine that a tax is the same as a premium paid by an insured person to an insurance company; that as a man pays premium in proportion to the amount that he is insured, so should he pay tax in proportion to the amount of property that the government protects, insures, and defends for him.

The great French author, Le Roy Beaulieu, whose discussion of the subject has not been fully translated into the English language, so that I have been obliged to take a translation in part of it, says:

We adopt this principle of taxation, laid down by Smith, as the only sound and defensible doctrine that can be laid down.

I further say that the gentleman can not, in his research, find a single great political economist, if I possibly except one, who has written under the impulse of the present agitation in regard to this question. I refer to Mr. Howe, of the Johns-Hopkins University. I say that, with this exception, the gentleman can not find one who has not laid down principles consonant with the doctrine of Adam Smith. That tenet, which Adam Smith lays down, John Stuart Mill declares classical.

Now, I desire to come forward to the present agitation. There never comes an agitation that strikes wealth in any of its channels that you do not find certain "cuckoos" ready and willing to appear upon the front of the clock, at the stroke of the clock of wealth, to attack the broad principles of economic legislation. One of these cuckoos, I am sorry to say, is a professor of political economy in the John-Hopkins University, Mr. Howe. In the January number, 1894, of the annals of the American Academy of Political and Social Science, he discusses this subject in a number of pages; and as I have seen spread broadcast throughout the land quotations from this essay of his against an income tax, I desire to quote what the gentleman himself is forced to admit. Here is the testimony of an unwilling witness. I quote from page 68 of this essay, where he says:

This tax—

Meaning the income tax—

has much to defend it, and theoretically it appears to be the most equitable of taxes. The burdens which it imposes are palpable and likely to induce a more careful scrutiny into public affairs; it is ascertainable in amount and is not hidden from the view of the payor by entering into cost; it is not cumulative, does not interfere with business relations, and does not impinge upon the limit of subsistence of those possessing but small incomes, as do the customs and excise taxes. Thus it satisfies most thoroughly that canon of taxation which prescribes equal-



ity of sacrifice on the part of citizens. Many of these excellencies are corroborated by our own experience during the war.

This is the testimony of an unwilling witness, a cuckoo, who comes forward to utter his protest when the wealth of this country is asked to bear some little portion of the burdens of taxation which are necessary for the support and maintenance of our Government. Mr. Chairman, I have heard a gentleman say on this floor that no one ever heard of an income tax prior to 1842. I desire to say that that gentleman has certainly never read Moses in Deuteronomy, where he advocates collecting taxes according to the means and ability to pay. He has certainly never read of the great theocracy of Judea, which collected its taxes by tithes, which means one-tenth of a man's income, no matter how wealthy he may be. I am not indorsing the tithe system. He has certainly not read Saint Luke, where he declares,

For unto whomsoever much is given, of him shall be much required; and to whom men have committed much, of him they will ask the more.—Luke 12, 48.

He has certainly never read that great writer, St. Paul, quoted to-day by my friend from Tennessee [Mr. McMILLIN], nor has he read that great man who is looked upon by many as being the greatest writer upon the subject of the laws, Montesquieu. Speaking of taxation he says:

At Athens the people were divided into four classes. Those who drew 500 measures of liquid or dried fruit from their estates paid a talent to the public; those who drew 300 measures paid half a talent; those who had 200 measures paid 10 minæ; those of the fourth class paid nothing at all. The tax was fair, though it was not proportionable—it did not follow the measure of people's property; it followed that of their wants. It was judged that every man had an equal share of what was necessary for nature; that whatsoever was necessary for nature ought not to be taxed; that to this succeeded the useful, which ought to be taxed, but less than the superfluous; and that the largeness of the taxes on what was superfluous prevented superfluity.

There is the doctrine laid down by this great writer. I suppose gentlemen on the other side would class Montesquieu with those whom they call demagogues. Mr. Chairman, were I called on to frame a law that would tend to keep down demagoguery in this country it would be an income-tax law made similar to the provisions of this. [Applause.] I had hoped, sir, that the wealth of this country would have had the wisdom, would have opened its eyes wide enough, would have exhibited a sufficient degree of that intelligence with which it is generally credited to have, to have come forward and said that it was willing to bear its just proportion of the taxes necessary for the support of our Government, thus relieving to some extent the great mass of the people from tax burdens.

But I am sorry to see, with but few exceptions, they have allowed the veil of greed to be drawn down over the eyes of intelligence and shut from view the tenets of justice, the principles of right, the sound doctrines of economic legislation, and the cries, petitions, and prayers of millions of our laboring classes.

By refusing to pass this bill its opponents can find but one authority in divine writings to justify them, and that is where St. Mark says:

Unto him that hath shall be given, but unto him that hath not, even that which he hath shall be taken from him.

But how are the arguments in favor of this measure met? We find them met by expletives; we find them met by the calling of names, by opprobrious epithets; we find them met with as much logic as the school girl uses who makes mouths at another in retaliation for some sharp expression. Gentlemen, do not try to meet sound logical propositions announced and indorsed by the greatest economic writers of the world by calling names. The opponents of this measure call an income tax a "war tax," and I was surprised to hear the learned gentleman from New York [Mr. DANIELS] say that it was a tax unknown except during the season of war. I hold in my hand a copy of the statutes of Virginia, and what do I find there? I find this:

CHAP. 450.—An act to provide for the assessment of taxes on persons, property, and incomes, and imposing taxes thereon for the support of the Government.

This is an act approved March 15, 1884. In schedule D I find the following:

He shall ascertain from each person in his district the aggregate amount of income in excess of six hundred dollars, whether received or due, though not received within the year next preceding the first of February in each year. \* \* \*

In this same schedule D it is provided that—

The word "income" shall include all rents, salaries, interest on notes, stocks, bonds, and other securities not otherwise taxed of whatever description, of the United or of any other State, or county, or corporation, company, partnership, firm, or individual, collected or received during the year, less the interest due and paid by said person during the year; the amount of all premiums on gold, silver, or coupons; the amount of sales of live stocks and meats of all kinds, less the value thereof at the time of the assessment of the same; provided the said value has heretofore been taxed as capital: the amount of sales of wood, butter, cheese, hay, tobacco, grain, or other vegetable, agricultural, or other production grown or produced by said person; provided that the amount derived by the producer from the sale of any agricultural production during the preceding year, whether the same was grown during the preceding year or not, shall be assessed and taxed as income; all other gains and profits derived from any source whatsoever, and the shares of the gains and profits of all companies, whether incorporated or partnership, of any person who would be entitled to the same if divided, whether said profits have been divided or not: *Provided*, That in addition to the sum of six hundred dollars as aforesaid, there shall be deducted from the income of the person assessed, all losses sustained during the year; all losses incurred in trade; all sums actually paid for labor, ditches, fences, taxes, and rents; all fertilizers, clover or other seed purchased and used by any person who cultivates land, except sums paid out for improvements new buildings, and betterments made to increase the value of the

property or estate: *And provided further*, That only one deduction of six hundred dollars shall be made from the aggregate income of any family, except that guardians may make a separate deduction of six hundred dollars in favor of each ward out of income coming to said ward.

#### Section 11 in schedule D put a tax—

On the income derived from the interest or profits, as the same is defined in this schedule, the tax shall be 1 per centum on the amount of such income in excess of \$600.

There is the statute of the State of Virginia; and that was not passed in a time of war but in a time of profound peace, in the year 1884; and I am informed by the librarian that it is still in force in that State.

But, gentlemen upon the other side say that this is a secession measure. Let me say that there are a number of other States that have recognized the validity of a proportionate rate of taxation. Take the statutes of Massachusetts and see if we can not find in them that a recognition of the validity of proportional taxation, and find whether the duty and power of levying and imposing proportional and reasonable assessments of rates and taxes upon all inhabitants and persons resident within the lines of that commonwealth is exercised. In section 4 of chapter 2, title 3, of the statutes of Massachusetts on the assessment and collection of taxes I find, in describing what persons taxes shall be levied upon, it says:

SEC. 4. \* \* \* The income from an annuity, from ships and vessels engaged in the foreign carrying trade, within the meaning of section eight, and so much of the income from a profession, trade, or employment, as exceeds the sum of two thousand dollars a year, and which has accrued to any person during the year ending on the first day of May of the year in which the tax is assessed; but no income shall be taxed which is derived from property subject to taxation.

That is the law of Massachusetts. Massachusetts levies a tax upon incomes; and certainly that is not a war measure, passed in the exigencies of the war. The supreme court of the State of Massachusetts passed upon the validity of this statute, in 103 Mass. Reports, p. 544, in the case of Daniel W. Willcox *against* The County Commissioners of Middlesex, where I find that the question of double taxation came up; and we hear many opprobrious epithets cast against this bill because it is said to be double taxation. In this case an able decision is given by Justice Ames, which was concurred in by the entire bench.

The decision was as follows:

The petitioner's complaint of the manner in which he has been taxed in the town of Medford, where he resides, is based entirely on the assumption that the income which he derives from his business as a member of the firm is derived from their "stock in trade" legally taxable and actually taxed in the city of Boston. On that ground he claims that the tax upon his income is assessed in violation of that clause of the statute which provides that "no income shall be taxed which is derived from property subject to taxation." (Gen. Sts., c. 11, p. 4.)

But it appears to us that the assumption on which the petitioner's case depends is a fallacy. The income from a "profession, trade, or employment," which is taxable under our system of laws, is an entirely different thing from the capital invested in the business, or the stock of goods in the purchase of which the whole or part of such capital may have been expended. The income earned by the statute is the income for the year, and is the result of the year's business. It is the net result of many combined influences: the use of the capital invested; the personal labor and services of the members of the firm; the skill and ability with which they lay in, or from time to time renew, their stock; the carefulness and good judgment with which they sell and give credit; and the foresight and address with which they hold themselves prepared for the fluctuations and contingencies affecting the general commerce and business of the country.

To express it in a more summary and comprehensive form, it is the creation of capital, industry, and skill. The stock of goods that happened to be in the possession of the firm on the 1st day of May might be, and it is perfectly fair to assume would be, in the ordinary course of business, for the most part sold out, and replaced by another stock; and in the course of a year this operation might be many times repeated. The income to which the statute refers does not mean merely the profits derived from the sale of the goods that happened to be on hand at the date of the tax, but the profits derived from the dealings and business of the firm for the year. It would not relieve the petitioner from any part of his tax, though it should be found that the goods on hand at the date of the tax had yielded no profit whatever, and had contributed absolutely nothing toward making up the sum which he reported to the assessors as his income from that business. It certainly is among possibilities that the business for the first part of the year may have been conducted, and the entire stock on hand on the 1st day of May may have been sold at a loss; and yet, that a favorable change in the markets, at a later period, may have overbalanced this loss, and made the result of the whole year a profitable one.

And even if it could be said that the "stock of" the firm taxable in Boston is meant by the statute to include the whole amount of the capital invested in its business, yet the profits of the business depend upon many elements and are affected by many causes other than the mere use of capital. The tax which has been assessed upon the petitioner is not for an income derived from specific goods and merchandise, but for an income derived from the business of dealing commercially in the like goods and merchandise with such a degree of skill, judgment, and good fortune, that his share of the year's profits amounts to the sum which he returned as his income from business. We can not doubt that this tax is allowed and justified by the laws of the State, and we see no reason for holding that the petitioner has been overtaxed.

This is the decision of the supreme court of Massachusetts, not of a seceding State.

Mr. McMILLIN. Here is the decision in the Supreme Court of the United States.

Mr. HALL of Missouri. But we heard that this law is unconstitutional, and the very able gentleman from New York [Mr. DANIELS], for whom I and everybody who know him has the highest respect, as I understood him, says that the measure has been frequently denounced as unconstitutional. I do not believe that he said it was unconstitutional himself. I understood the gentleman to say that it has been frequently denounced as unconstitutional.

Mr. DANIELS. Denounced by Democrats.



Mr. HALL of Missouri. Very well; I simply wish to quote the gentleman's language correctly.

The Supreme Court of the United States in the case of Springer against the United States, uses this language:

That the United States Congress has full power to levy and collect taxes on incomes.

It was decided by the Supreme Court of the United States that this tax was constitutional.

Now, Mr. Chairman, I desire to refer to the statutes of one or two other States. I have here before me the statutes of Pennsylvania, and right in that connection I desire to read what the Hon. Richard T. Ely says upon this question:

Two States levy general income taxes now. In Virginia, on income derived from interest or profits, the amount in excess of \$1,000 is subject to a tax of 1 per cent. The proceeds from this tax amounted in 1886 to \$20,755. In Massachusetts it is provided that income from annuities, from certain ships and vessels, and so much of the income from a profession or trade or employment as exceeds the sum of \$2,000 shall be taxed; but it is further provided that no income shall be taxed which is derived from property subject to taxation.

PENNSYLVANIA LEVIES AN INCOME TAX ON SPECIAL KINDS OF INCOMES.

In Pennsylvania an income tax of 3 per cent is levied on the income or net earnings of all corporations, foreign insurance companies, and on every private banker and broker, or unincorporated banking and savings institution, and express company. The receipts from this source in 1887 were \$81,596.92 out of a total of \$7,646,147.87.

Here are the laws of the State of Pennsylvania. Men upon this floor oppose that law when there is an income tax in that State and has been for years, and it yields that State nearly \$100,000 a year; and yet they call this simply a war tax, a tax resorted to as a war measure.

But let us go to the State of New York. I find that the statutes of New York are full of income taxes. I find a "definition of personal estates" subject to taxes upon page 2952 of the statutes of that State.

The terms "personal estate" and "personal property" wherever they occur in this chapter shall be construed to include all household furniture, money, goods, chattels, debts due from solvent debtors, whether on account, contract, notes, bond, or mortgage, public stocks and stocks in corporations. They shall also be construed to include such portion of the capital of incorporated companies liable to taxation on their capital as shall not be invested in real estate.

Then it goes on and prescribes, in section 21, that certain property passing by will or under the intestate laws shall be taxed, and that, notwithstanding it prescribes whether the property is in possession or in expectancy—

Any such property or to the income thereof shall be and is subject to a tax of \$5 on every \$100 of the clear market value of such property.

Then there is an inheritance tax. After a man is dead, when he has lost his right to vote, when he can no longer go to the polls and swell the Republican or the Democratic majority in that State, this tax of 5 per cent is imposed upon the property he has left.

But I say this is simply an income tax—nothing else; by the great weight of authority as laid down by all writers it is nothing but an income tax. And this is an act passed not in time of war, but in time of peace. Why? Because, as the constitution of Massachusetts says, that all taxes should be proportional to the amount that a man has.

My friend from New York [Mr. DANIELS], and some gentleman on this side of the House have said that no proposition for an income tax is embraced in the Democratic platform of 1892. I want to say that there was in that platform everything that was necessary to put into effect the abolition of "a robber tariff and an unconstitutional measure." I maintain as my second proposition that no man conversant with the history of national legislation can maintain that we have any hope or chance of repealing the burden of protective taxation resting upon our people, unless an income tax is resorted to.

I wish to read very briefly from this work of Noble upon the fiscal legislation of England:

"The income tax," said Sir Robert Peel, "was proposed as 'a substitute in part for the other taxation which we thought was pressing more heavily on the industry of the country.' The tariff then proposed has been swept away, but these two principles remain; upon them has been based a series of wise and comprehensive measures, which have liberated industry from many of its burdens, and greatly promoted the prosperity of all classes. It is not in its mere details or its immediate results that we must look for the full benefit of this measure, but in the long series of reforms of which it was the foundation. Its errors have perished; its vital principles remain."

Another quotation from the same author:

It was through the instrumentality of the income tax that Sir Robert Peel effected his revision of the tariff first in 1842 and again in 1815. It was the same potent instrument which enabled Mr. Gladstone in 1853 to carry still further the great work commenced by his illustrious master; and again, in 1860, to supplement previous legislation by the great measure of finance which characterized that year, and which laid the foundation for the remissions of subsequent years. Direct taxation has been the foundation of modern fiscal legislation, and the instrument of incalculable good to all classes.

The income tax may be regarded by the unreflecting with aversion; it may be more agreeable to be deceived into the payment of taxes than to meet the open demand of the tax gatherer; yet experience proves that concealment of taxation is no real advantage. Unless the facts narrated in this volume are imaginary and our prosperity a delusion, the question naturally arises whether the limits of improvement have been reached, or whether it would not, on every consideration, be a wise and statesmanlike policy to seek fresh triumphs in a field in which such laurels have been won.

Coming down to the question of principle, can you ever perfect a revenue tariff in any government without an income tax? My able

colleague from Missouri [Mr. TARNSEY] dwelt in some measure upon this matter. I notice in the Washington Post of this morning an extract from the New York Sun, in which that organ denounces the income tax for the reason that the revenue from the income-tax law in England had varied during a period of twenty years; this writer cites the fact that during this period the rates of taxation varied from 16d. on the pound to 2d., the revenue derived by the Government varying from £3,500,000 to £17,500,000. I quote the article merely from memory. Now, I say that this flexibility of the income tax is one of the greatest arguments in its favor. I do not believe that any party on earth, that any man who is a patriot, wants to see the business interests of this country hazarded and the obligation of contracts impaired by changes in the tariff every two or four years.

I asked an eminent member of the Ways and Means Committee whether he could even in theory conceive of a tax which would give a proper revenue for 1895 and 1896 which would not produce a surplus of at least twenty-five millions in 1897 and 1898. He answered, as every student of that subject must answer, "no." Without an income-tax the only method at your command for producing the proper flexibility of revenue to meet the flexible demands of the Government, without disturbing the business interests of the country, is to change your tariff schedule every two years. I am not one of those who believe that the present business depression is due to threatened tariff legislation, but rather that with a view to the present tariff legislation fastened upon the people with increasing and ever-growing burdens until its final culmination in the McKinley act of 1890, which has brought around with marked severity the present financial crisis under which we are now suffering.

I believe that tariff legislation or threatened tariff legislation must always have some tendency to impair the obligation of contracts, to disconcert business, to bring about business distress. And I believe that no party that has at heart the real interest of the country can afford to say, "We will change the tariff legislation of the Government every two years and thereby run the risk of impairing the obligation of contracts and disturbing business interests."

By this kind of a tax, a tax upon incomes, the English Government was enabled to pass through the Crimean war; and the man who wrote that article in the New York Sun did not say it was during that war, but the dates show it. And the fact that the rate varied from 16d. to the pound to 7d. to the pound, and 4d. to the pound and down to 2d. to the pound showed what? It showed that England was enabled, by increasing the income tax, to pass through the Crimean war with very little disturbance of the taxing system of the Government from the internal revenue or from the tariff taxation; and they were able, when that crisis passed, to bring it down, and bring nothing but good will and gratitude from all classes of the people.

My friends, I see gentlemen from New York and the Eastern States here opposing this measure. Had I the naming of this bill, had I the naming of any income tax bill of a kind like this, I would denominate it a measure to kill anarchy and keep down socialists. I believe, in my humble way, I have passed through as many States, of mingling with the people, as any man of no older than myself. I know that I have heard expressions from the mouths of 10,000 of the laboring classes all over this country. I know there never has been a meeting of the National Grange, of the National Alliance, of the National Federation of Labor, or the Knights of Labor, where this question was presented, that they have not called with one voice for an income tax. I say if we go to the people of the United States and say to the laboring masses, "We are ready, willing, and anxious to put upon you a great burden of taxation laid down in the customs duties, but we are unwilling to lay a feather's weight upon the great wealth of this country," that is an argument in favor of demagoguery and socialism, without righteousness for its warp and woof, and it will come back and curse us in the future.

We are called demagogues and socialists, because we advocate this measure. My friends, I hate to call names back; it is not the way to discuss great national legislation; but were I to define a man who is a friend of the demagogue, I would say he is the man who advocates legislation that will build up demagoguery. If I were called upon to define a friend of socialism, I would call him the man who advocates principles that will build up socialistic tendencies in this country.

I am no pessimist nor alarmist. I feel that I am not going too far in saying that I have stood up amidst the hisses and howls of demagogues, when I, single-handed and alone, denounced their heresies, and God giving me the power, I will ever continue in that course. [Applause.]

But my friends, I tell you when you oppose a measure of this kind, when you come to the great masses of the people and say that the wealthy of this Government shall bear none of its burdens, then you make a foundation for the argument of anarchy, socialism, and demagoguery, that eventually will sweep back and curse this country, as it did in France in the days of the French revolution.

Now, my friends, they call this measure by other opprobrious names. They call it a reward to perjury. Understand me now, I am not saying that a single member of Congress on either side of



this House will get up on this floor and say that he will be guilty of perjury if this law is passed. Let any one outside of this hall dare to make such an insinuation against my brother members of Congress here, and I am ready and willing to denounce him as a falsifier; but my friends, what position are you putting yourselves in on this floor? You come here advocating whose claim, when you make that argument? What are you giving utterance to here? Whom are you representing?

You come forward to a national Congress, dealing with great national legislative matters, and say "Dare to pass this law and men will perjure themselves." Do we dare to frame legislation upon threats of perjury? Do we dare go to the people of the United States and say we have refused to pass a law because men have come into that body and said that the wealthy men of this country would perjure themselves if we dared pass such an act? Is not that a reward to a threat of perjury, instead of a reward to perjury? Now I am stripping that argument. I am simply taking the feathers off from it and holding it up in all of its naked villainy before you. Are you men going to let that argument have a feather's weight with you, that you will refuse to legislate upon the matter that is now laid down as a sound principle by the great teachers of political economy the world over, simply because men threaten that if you do pass this act they will perjure themselves?

My friend from Nebraska [Mr. BRYAN] used an expression which struck me with great weight. I must give him credit for it. He said:

I have heard very many hard things said against wealthy men by men out in the country districts, but I never heard a man say yet that they were so base that they would perjure themselves if this tax were levied upon them, in order to escape a 2 per cent tax upon their incomes.

But, Mr. Chairman, let us see the fallacy that lurks just behind that stump. It is that the men who perjure themselves will thereby avoid paying their just share of this taxation, and so will lay heavier burdens upon their more honest neighbors. Now, is there any logic in that position? Let us see. Suppose 100 men are called upon to pay an income tax, and 99 out of the 100 perjure themselves, and the other one comes forward and tells the truth and pays his tax. Will the tax on the one man who tells the truth be increased 1 cent or 1 mill on account of the perjury of the others? Certainly not. There is no increase of anybody's income tax by reason of other people perjuring themselves.

I say, Mr. Chairman, that the American people are willing and ready and anxious to have this law put in operation, and I see that Gould and Carnegie, if they are correctly reported, show themselves to have wisdom or to have patriotism—and when a man uses patriotic language I hate to sit in judgment upon his motives—when they come forward and say that they are willing that an income tax shall be assessed, and that the wealth of this country shall bear some of the burdens of taxation. This bill a reward to perjury! There is but one way in the world that you can reward perjury in connection with this bill, and that is by refusing to pass it. [Applause on the Democratic side.] Then the humiliating spectacle will be presented that, because a body of wealthy men come here by their representatives and say that if the law were passed they would perjure themselves, this Congress refused or failed to lay upon them their just and righteous proportion of the burdens of government.

Another argument is made that this tax is inquisitorial.

Mr. Chairman, I do hope that before gentlemen use these arguments again they will at least give them a little closer consideration. Before they speak of this as a "war-tax" let them look at the statutes of the various States; let them look at the legislation of Great Britain upon this subject, in a time of profound peace establishing this income tax, a tax which that Government has maintained for more than fifty years, and which in the last budget is declared to be one of the most permanent of British taxes, a tax which enabled the statesmen of Great Britain to frame a customs bill of which this Wilson bill is the counterpart, for I will show in my printed remarks that had the gentleman from West Virginia had the English bills before him by which taxes were taken from the necessities of life he could not have followed more closely in the details than he has done the bills of 1842, 1844, and 1847.

Gentlemen call this tax inquisitorial. Well, sir, there never was a tax on earth that was not inquisitorial. But, is this tax as inquisitorial as any other tax? I assert that the least inquisitorial tax in the world is an income tax. I maintain that when you land in the city of New York from one of the great ocean steamers and are taken into a separate room and stripped as naked as the day you were born, and have every part of your clothes examined piece by piece, and your baggage turned upside down, and every dollar's worth of the property which you have brought across the ocean subjected to examination, no income tax ever was one-tenth as inquisitorial in the manner of its collection as are your customs taxes in such cases. Not only so, but in the levying of your internal-revenue taxes you are more inquisitorial.

I refer to the taxes on whisky and tobacco. In those cases the Government actually takes bodily possession of the whisky, and the party can not have any control over it until he pays the tax which he owes the Government. Again, there is no system of

espionage greater than that carried on now throughout the United States by the deputy marshals all over the breadth of this country, who, every time that a poor fellow sells a twist of tobacco to his neighbor or a detective, haul him up and bring him into a United States court, to respond to a charge of violating the internal-revenue laws. But now, when we ask that the wealth of this country, that those who have incomes above \$4,000 per year shall be required to make an exhibit of those incomes, to the end that some small portion of the burdens of Government shall be placed upon them, in consonance with all the principles of Christianity, of morality, and of political economy we hear this cry raised that the tax is an inquisitorial tax. For shame!

The committee have gone further, Mr. Chairman, than I thought they could have gone. They have even gone so far as not to require men who have incomes no higher than \$3,000 to make any return. My friend from Massachusetts [Mr. WALKER], and I am sorry that he is not in his seat, says that this tax will operate unequally and unjustly. "Some year," he says, "I may make \$40,000 and the next year I may not make a dollar." Very well, my friend. When you make \$40,000 you will pay the income tax upon it and when you do not make anything you will not pay any tax.

Mr. LIVINGSTON. And all he has to do in either case is to swear to the truth.

Mr. HALL of Missouri. That is all he has to do in any case.

All that he has got to do in any case under this bill is to see that the return which shall be made shall be a truthful return. Whoever heard of any criticism of the income tax in England after such a provision was made in their law as is contained in the amendment that the Committee on Ways and Means so wisely put upon this bill, an amendment that declares that if an internal-revenue officer shall divulge or at any time make known what the income of any individual is that he shall be liable to fine and imprisonment and be forever disqualified from holding office. I think that latter clause would frighten the average American citizen more than anything else. [Loud laughter and applause.] I desire to read in that connection section 9 or part of section 10.

SEC. 3167. That if any collector or deputy collector, or other officer or internal-revenue agent acting under the authority of any revenue law of the United States, divulges to any party, or makes known in any other manner than may be provided by law, the operations, style of work, or apparatus of any manufacturer or producer visited by him in the discharge of his official duties, or to the amount or source of income, profits, losses, expenditures, or any information obtained by him in the discharge of such duties, he shall be subject to a fine of not exceeding one thousand dollars, or to be imprisoned for not exceeding one year, or both, at the discretion of the court, and shall be dismissed from office and be forever thereafter incapable of holding any office under the Government.

When that provision was put in the income-tax law in England no more complaint was ever heard as to the inquisitorial character of the law. No business interests were hazarded by it.

Now, Mr. Chairman, we have all been before our people more or less. We have all talked with them about what we were going to do for them. We have declared ourselves time and time again that we were going to enact just laws, that should lay the burdens of the Government justly and equitably upon all.

There is not a Republican orator in the sound of my voice that has not made that pledge. There is not a Democrat or a Populist speaker or member in this House that has not reiterated that statement time and again. I know that wealth is fighting this bill now. I know that wealth has and ever will oppose any tax, however just, that lays one little bit of burden upon accumulated wealth. But, sir, now is the time to redeem the pledges made to our people. Now is the day, and now is the hour. I say that never since 1860 has there been a time when the Congressmen were called upon to stand by the interests of their people more than now, even to the spirit and the letter of the pledges made by those before me upon this question. Go forward! You have not been goaded on—

Mr. DUNN. Will the gentleman allow me to ask him a question?

Mr. HALL of Missouri. Certainly.

Mr. DUNN. When did the Democratic party pledge the people that it would support an income tax?

Mr. HALL of Missouri. I will say that I have always said in every speech that an income tax was just and right. The platform in my district pledged me to it. I maintain that when the Democratic platform adopted at Chicago declared that a protective tariff was robbery and unconstitutional, that it laid the ground for some form of direct taxation such as this. Let us wipe away the robber and unconstitutional tariff, and that brings us to the income tax as a logical result of that platform. [Applause.] I want you to go forward and lift the burden off the people and put some little of the burden on the wealth of this country.

Mr. DUNN. If the Democratic platform had said that we should do it. I would have been with you, but it did not say that. You are departing from that platform and I am staying with it.

Mr. LIVINGSTON. What did you do about silver?

Mr. DUNN. We did what we promised to do.

Mr. HALL of Missouri. I am simply making this argument to try and enlist the gentleman from New Jersey and more of that kind, to see that the only possible way of bringing about the reform that we have definitely pledged ourselves to is through this income tax,



to take the burden off the great masses of the people and put a small portion of it upon the great wealth of this country.

Mr. CHICKERING. You say that the wealth of the East opposes the income tax.

Mr. HALL of Missouri. Yes, sir.

Mr. CHICKERING. Will you state what evidence you have upon that point?

Mr. HALL of Missouri. Well, I will say this, that the great metropolitan press, with the exception of three, that I think deserve great honor and credit, the St. Louis Republic, the Chicago Times, and the New York World, who in a great measure reflect the wishes of that class of people who control this press, that the members of Congress from the wealthy districts of the United States are all opposed to this measure, and I suppose they are voicing their wishes here.

Mr. CHICKERING. What about the New York World?

Mr. HALL of Missouri. The New York World, I am proud to say, has been prominent among the Eastern papers in manfully fighting for the income tax as right and just. [Loud applause.]

Mr. PENCE. Will the gentleman state whether he is in favor of a graduated income tax?

Mr. HALL of Missouri. I will say to the gentleman in that regard that I believe that this tax is a graduated income tax. If a man has \$5,000 a year he pays a tax on \$1,000, or \$20; if he has an income of \$10,000 he pays on \$6,000, or \$120; and the gentleman will see that that is a graduated tax.

Mr. PENCE. If the gentleman will carry it out to \$100,000 he will find that the fraction is so small that he can scarcely discover it.

Mr. HALL of Missouri. I am simply saying that if this proposition is passed that the wealth of this country will pay a very small share of the burdens of taxation; but they will all oppose this bill, and that every friend of income tax should help this bill, and help it now without criticism or stint.

Mr. DUNN. I will ask the gentleman one other question with his permission.

Mr. HALL of Missouri. Yes, sir.

Mr. DUNN. Do you believe that if you had put such a proposition as you now advocate into the Democratic platform of Chicago that you would have had a President or House of Representatives or Senate with a Democratic majority?

Mr. HALL of Missouri. I certainly do. But I will answer the gentleman more fully. I say that what the opponents of an income tax have most to dread is the education of the people. If we had been able to put an income tax plank in the Chicago platform and had had the time to educate the people on this question, there is no question that we would have carried this country and carried it like a cyclone. [Applause on the Democratic side.]

Let me mention an incident in this connection. A friend of mine who lives in Nashville, Tenn., had a banquet given to him at Boston by the protectionists of that city, being a protectionist himself. In addressing them he said:

I tell you, gentlemen, what is destroying protection in the United States; it is the fact that you allow your children to go to the great colleges and universities of this country and be educated there in the principles of free trade.

He never uttered a sounder remark; no greater truth was ever announced. I say to protectionists and to those who oppose an income tax alike that what you gentlemen should seek above everything else is to see that the people of the United States may be and remain ignorant; for in ignorance you find your triumph and strength; but in education upon the income tax and upon the protective tariff you find death and destruction of your principles.

But, Mr. Chairman, there is another class of citizens whom we want to reach by this income tax, that class of men who live in the nontaxpayers' paradise, outside of the cities. They generally have their property invested in choses in action which are not taxable under the laws of most of the States, or at least are not reached. They remove outside of the city limits and thereby escape municipal taxation. When you ask such a man whether he is coming out to vote he answers, "No, I thank you; I am a gentleman; I am no politician." What does that mean? It means that he is taking no interest in politics; no interest in the proper conduct of governmental affairs; no interest in national legislation—why? Because he knows that taxation does not touch him. Is that the way the manufacturers look at these questions? No; there has not been an hour in the day during the last four months when you could not have found the corridors of this capitol filled with manufacturers.

The door of the Ways and Means Committee room has been almost battered down by representatives of the manufacturing interests of the country—why? Because they know that their wealth comes from taxation; they realize that they are interested in taxes, and they constantly concern themselves as to national legislation. There is no member of Congress who does not receive in almost every mail petitions from men of this class. They make a study of these great questions of taxation, and they express their views by petition as well as in various other ways. But how are you going to interest in these questions the man who parts his hair exactly in the middle? I do not mean the man who parts it as widely as I do mine. I mean the man who does not allow seven hairs on one side and eight on the other. [Laughter.] When such a man declares

that he is too much of a gentleman to interest himself in political questions, how are you going to make him to do his duty as a citizen? There is but one way; and that is to say to him, "Your wealth must bear some portion of the burden of taxation." Then the man becomes interested at once—why? In order to find out how his money is expended.

Mr. Wanamaker, after he had raised \$400,000 for the Republican campaign fund several years ago, went into the manufacturers' bureau—why? Because he was interested in the expenditure of that money. As he said, he wanted to see that it was expended in a proper way. Now, when you relieve the groaning millions from some portion of the unjust taxation they have been bearing, and when you say to these men who are living on their means that they must bear their proper share of the burden, you at once interest them in legislation. A man of that class will no longer say he is too much of a gentleman to have anything to do with politics.

Mr. MAHON. This tax, as the gentleman has explained, is to be paid by business people, by officers of the Army and Navy, and by all others who have an income of \$4,000 or more. Now I ask the gentleman whether under this bill the President of the United States will pay any tax on his salary of \$50,000 a year?

Mr. HALL of Missouri. Yes, I presume he will.

Mr. MAHON. If the gentleman will allow me five or ten minutes I will prove that he will not pay it.

Mr. SPRINGER. He is exempted by the Constitutional provision which forbids a reduction of his salary during his term of office.

Mr. HALL of Missouri. Probably the gentleman from Illinois (Mr. SPRINGER) is correct in his suggestion; and as the President's salary under the Constitution can not be diminished during his term of service, it may be that he would not pay the tax.

There are gentlemen present who are learned in the law who will discuss these matters. I know that under this bill the salary of the President of the United States will be subject to taxation, and he will pay the tax.

Mr. Chairman, I have far exceeded the time within which I promised to close, but I desire to extend these remarks by way of comment and the introduction of authorities, and will aim to get them into the Record as soon as possible. I desire specially to thank members of Congress for the kind attention they have given me.

I desire in the first place, Mr. Chairman, to bring to the attention of the House on this principle of taxation defended and proposed in this bill, that it is indorsed by a great portion of the economic writers in the world. I have already cited one or two and I desire now to make still further citations.

Therold Rogers says:

Taxation in proportion to benefits received is sufficiently near the truth for the practical operations of Government.

Montesquieu, speaking of the Athenian property tax, *Esprit des Lois* Liv. 3111 Ch. 7, says:

It was just though not proportional; if it did not follow the proportion of goods, it followed the proportion of wants. It was thought that each had equal physical necessities, which ought not to be taxed; that what was useful came next and should be taxed, but not so highly as superfluities.

Rousseau and the elder Mirabeau took the same ground as Montesquieu, and in the present century J. B. Say and Joseph Garnier "have approved of a system of moderate progression." While Sismondi, in his "Maxims of Taxation," lays down the four cardinal principles:

First. "Every tax should fall on revenue, not on capital."

Second. "In the assessment of taxation gross produce should not be confounded with revenue."

Third. "Taxation should never touch what is necessary for the existence of the contributor."

Fourth. "Taxation should not put to flight the wealth on which it is imposed."

The great French writer, Thiers, in his "De La Propriété," page 348, declares "that a tax is like an insurance scheme."

John Stuart Mill, in his "Principles," Book V, chapter 2, section 2, says:

Equality of taxation as a maxim of politics means equality of sacrifice.

While Bastable, the professor of political economy in Dublin University, in his able work on National Finances, which appeared in 1892, declares, on page 279, as follows:

It is apparent that the rule of equality of sacrifice is but another mode of stating the rule of equality as to ability. Equal ability implies equal capacity for bearing sacrifice. An equal charge will impose equal sacrifice upon persons of equal "faculty," and where abilities are unequal a corresponding inequality in the amount of taxation will realize the aim of equality of sacrifice.

This same great writer, in speaking of Adam Smith's "Maxims of Taxation," to wit, that it should be adjusted "in proportion to the revenue which they respectively enjoy under the protection of the state," says:

And since his time the rule has been quoted and adopted by most of his English and French successors.

Le Roy Beaulieu is referred to by the same writer as having adopted and defended these principles, and then Bastable further says while this principle was "at first put forward as a protest against the injustice of the old system of privilege, the maxim of proportional taxation is now employed as a weapon against the



newer radical socialism. One great advantage of the rule is its simplicity."

The great writer, M. Say, says, that "proportional taxation does not need definition; it is the rule of three. When it is said of a tax that it will be levied proportionally, everyone understands it."

Sax and Weiser, who represent the financial studies of the Austrian school, have both declared for progressive taxation. In Mr. Cohn's brilliant treatise on "Digressive Taxation," page 293, section 9, he says:

When the articles consumed by the poorer classes are heavily taxed they would contribute more than their share to the maintenance of the state where they are relieved through the income and property taxes. The rule of proportionality is applicable only to the whole tax system and it may be necessary to have several partial inequalities in order to establish that final equality that is one of the principal merits of France.

Among the supporters of the doctrine known as the "Exemption of the minimum of subsistence," I mention Justi, Bentham, Sismondi, Herman, and J. S. Mill, and upon the question of "Double taxation" this able writer uses the following language on page 298, Section II:

To the plea of double taxation it may be replied that taxation is imposed on income as such; that the wealth which is taxed as income is not identical with the extra produce that is the result of its application, and the charge on each is distinct. The income out of which savings are made can not be the same as the subsequent income produced by those savings. The broad and simple principle of taxing all income alike and of taxing all this income, (allowance being made for the action of taxes on consumption in the case of the smaller incomes), appears to attain the result of just distribution quite as well as the more refined discriminations so often suggested.

On page 299, he says:

In the same spirit we can solve the problem raised by the existence of incomes on the minimum. Financial convenience combines with economic conditions to make it desirable to exempt the smaller revenues from direct taxation where the duties on articles of common consumption are productive. The distinction between temporary and permanent incomes, as also between expenditure and savings, may, it appears, be disregarded as involving subtleties unsuitable for fruitful application and to a great extent canceling each other. The result is, therefore, that on the whole, and speaking broadly, taxation should be proportioned to revenue by which a fair appropriation to justice and a convenient basis of working are supplied.

Speaking upon "tax on interest" as to dividends and mortgages, page 403, section 6, the same writer says:

Unless this large part of wealth is reached in some way there is an undue encouragement given to it. Investments in land and industrial enterprises are checked and the distribution of taxation is so far unfair. These reasons point toward the adoption of the general income tax, which will necessarily include the revenue from floating capital. France has employed a substitute for this part of the income tax in the *impôt sur les valeurs mobilières* (tax on the movable wealth), introduced in 1872, by which 3 per cent was imposed on the shares of companies, either home or foreign. The yield, which in 1873 was £1,250,000, increased by 1880 to nearly £1,600,000; by 1890 to over £2,000,000. The rate has been raised to 4 per cent for 1891, and the estimate for that year is £2,600,000, or more than double the receipts of 1873.

Again on page 436, section 9:

Any notice of the question of incidence may seem unnecessary in respect to a tax which falls on all the constituents of revenue. On whom can income receivers in general shift their burdens? Some of the suggested objects are certainly not available. Thus the vulgar idea alluded to by Mill, that the income tax falls on the poor by checking the expenditure of the rich, has no foundation in fact. Nor is there much force in the contention that in so far as the tax is paid out of capital it falls on the laborers (Fawcett, *Political Economy*, 538 sq.), as this is no peculiar quality of the income tax, but is one common to all taxation. The State must obtain revenue, and unless the income tax were specially obstructive to saving, it would produce no peculiar effect. Looking at the subject in a rather different way we obtain a better result.

Article XX of the Declaration of Rights of Maryland declares every person in the State or holding property therein "ought to contribute his proportion of public taxes for the support of government according to his actual worth in real or personal property."

Part 2, chapter D, section I, paragraph IV, constitution of Massachusetts, declares, in defining legislative powers:

To impose and levy proportional and reasonable assessments, rates, and taxes upon all the inhabitants and persons resident and estates lying within the said Commonwealth.

Leone Levi, professor of the principles and practices of commerce in King's College, London, in an article in the *Statistical Journal* of 1874, uses the following language relative to the income-tax law of England, which has now been in existence fifty-one years, and, as the last budget will show, is upon firmer foundation than ever:

Ever since Sir Robert Peel, in a moment of financial perplexity, hit upon the happy expedient of appealing to the wealthy class of people to contribute in a direct manner such a sum as might enable him to establish a proper equilibrium between the revenue and expenditure, and to induce wholesome and radical reform in the custom and excise revenue, every chancellor of the exchequer has clung to the income tax as the main prop of all his budget, in peace or in war; with a wholesome surplus or with a deficiency to meet this tax has always been found most welcome, and notwithstanding all the grumbling and objections urged against it at its first imposition, and at every subsequent revival of the same, the income tax still brings a handsome contingent to the national revenue.

The taxation of the country is now very much simplified. In 1873 70 per cent of the whole amount of governmental revenue was derived from the sources, namely: of spirits, malt, tobacco, sugar, and tea, and the income tax; but none of these branches of taxation is less objectionable in relation to the production of wealth, expensiveness of collection, or certainty of result than the income tax, and I do not wonder that with perfect machinery at work, with the assessment, and with the national mind accustomed to the burden, the chancellor of the exchequer is unwilling to relinquish so good a contributor to his "ways and means."

Prof. Robert Ellis Thompson, of the chair of social science in the University of Pennsylvania, uses the following language in section 178 of his work on the *Elements of Political Economy*:

The most modern and, theoretically, the fairest form of taxation is the income tax. It seems to make every one contribute to the wants of the State in proportion to the revenue he enjoys under its protection. While falling equally on all, it occasions no change in the distribution of capital or in the material direction of industry, and has no influence on prices. No other is so cheaply assessed or collected. No other brings home to the people so forcibly the fact that it is to their interest to insist upon a wise economy of the national revenue.

In that very able work, written by Dr. Luigi Cossa (professor of the University of Pavia, Italy), "On Taxation, its principles and methods," on pages 151 and 152 of the Horace White edition of the work, we find the following language:

In the year 1776 Adam Smith stated four rules of taxation which have been accepted by the whole civilized world and by all governments in it as the maxims of justice applied to that matter. The first of these rules says that the subjects of every state ought to contribute as nearly as possible according to their respective abilities. This means, of course, that a man whose income is \$5,000 ought to pay ten times as much as the one whose income is \$500. Nobody denies the truth of this maxim, except some writers who contend that the man whose income is \$500 or less ought not to pay any taxes.

John Stuart Mill, in his work on *Political Economy*, book 5, chapter 3, section 5, uses the following language:

We now pass from taxes on the separate kinds of income to a tax admitted to be assessed fairly upon all kinds—in other words, an income tax. This tax, and the conditions necessary to make this tax consistent with justice, has been investigated in the last chapter. We shall suppose, therefore, that these conditions have been complied with, and they are, first, that incomes below a certain amount should be altogether untaxed. This minimum should not be higher than the amount which suffices for the necessities of the existing population. The exemption from the present income tax of all incomes under £100, and the lower percentage levied on all those between £100 and £150, are based upon the ground that almost all indirect taxation bears more heavily on incomes between fifty and one hundred and fifty than on any others whatever.

The second condition is, that incomes above the limit should be taxed only in proportion to the surplus by which they exceed the limit. All sums saved from the income and invested should be exempt from tax, or if this should be found impracticable that the live incomes and incomes from business professions should be less heavily taxed than such inheritable incomes and in a degree as nearly as possible equivalent to the increased need of economy arising from their termable character, allowance being also made in the case of available incomes for their vicariousness.

This able writer closed his remarks upon this branch of the subject with this assertion:

An income tax fairly assessed on these principles is, in point of justice, the least objectionable of all taxes.

This same writer was on the witness stand as a witness before a committee composed of members of the House of Commons and the House of Lords, and his testimony will be found in vol. 7 of the *Income and Property Tax Reports* of 1861, page 212, in which he defends not only the principles of the income tax law, but advocates an exemption as to incomes large enough to support a man and his family.

Senator Sherman, in a speech made in the United States Senate on March 15, 1892, uses the following language:

The public mind is not yet prepared to apply the key of a genuine revenue reform. A few years of further experience will convince the whole body of our people that a system of national taxes which rests the whole burden of taxation on consumption and not one cent on property and income is intrinsically unjust.

While the expenses of the National Government are largely caused by the protection of property, it is but right to call property to contribute to its payment. It will not do to say that each person consumes in proportion to his means. That is not true. Everyone must see that the consumption of the rich does not bear the same relation to the consumption of the poor, as the income of the rich does to the wages of the poor. As wealth accumulates this injustice in the fundamental basis of our system will be felt and forced upon the attention of Congress.

As I said before the Ways and Means Committee in my argument upon this question, there was in 1889 \$63,000,000 or about \$1 per capita, taken from the consumers of wool and woolen goods, cotton and cotton goods, and iron and steel goods for the purpose of revenue for the United States Government by the tariff tax. I believe that it will be safe to say that in order to secure this revenue of \$63,000,000 that it cost the people of the United States \$450,000,000, the balance, \$387,000,000, being paid as a bounty by the people to the monopoly manufacturing establishments under this protective tariff system. In other words, for every dollar placed in the Treasury of the United States there was \$7 put in the pockets of the protected manufacturers on account of the tariff tax that would have yielded \$63,000,000 the consumers of cotton goods, woolen goods, iron and steel manufacturers of the United States could have been saved \$450,000,000 yearly—an amount almost equal to the State, county, and local tax of nearly every State in the Union combined.

On the subject of flexibility of revenue, I refer you to an article written by Prof. Levy, in speaking of the English income tax, in which he says:

Table I, in the appendix, shows that for eleven years consecutively from 1844 to 1854, five million and a half pounds per year were derived from the income tax, that being equal to 10 per cent of the whole taxation of the country. When the Crimean war came, from 1855 to 1857, first £10,000,000, then £15,000,000 and £16,000,000 a year were drawn from the same source. And when peace brought back the national finances to their ordinary level, the income tax continued a fruitful source of revenue, the increasing resources of the people causing a much smaller rate in that period to produce a revenue of some £7,000,000 or £10,000,000. In 1854 the amount of the tax assessed was at the rate of £800,000 to the penny; in 1864, £1,300,000 to the penny; in 1874, £1,800,000 to the penny.

One of the objections urged against an income tax, which applies with great force in England, but does not apply with nearly so great



force in this country, is that permanent investments are by income tax taxed at the same rate as temporary investments. I have never been able to concede much weight to this argument. Prof. Bowen, in his work on political economy, page 426, announces what I conceive to be a correct principle of taxation in the following words:

Taxation is the equivalent rendered by the people to their Government for preserving peace, enforcing justice, and aiding in various other ways the production of wealth. To the extent of the service thus performed the Government is a coworker with the rest of the community, and, therefore, equitably claims its share of the products of each year's industry.

To state briefly the argument used against the income tax under this heading: If A rents a piece of property at \$25,000 a year, and B owns in fee another piece of property from which he receives \$25,000 a year, that it would be unjust to collect the same tax off of A, on account of his temporary possession and small interest in the property, that the Government would collect from B, who owns the absolute title to his property. The difficulty with this argument is that it ignores a correct principle of taxation. Our taxes are collected annually, and are intended to represent the cost to the Government of preserving and protecting life and property for each year separately. A has received for the fiscal year for which he pays taxes the same amount of protection and defense that B has for that year, each one of them being protected in the enjoyment of property that has yielded them an income of \$25,000 a year apiece.

Lord R. Dudley Baxter, in his work entitled "Taxation of the United Kingdom," on page 95, clearly concurs in this view, as do a number of others of the ablest writers on taxation in England. He says:

The more simple view is that the taxes for the year protect the property or income for the year, and must be paid by the occupant for the time being, the proportion at the yearly assessable value of the property occupied. The taxpayer is the tenant or as perhaps as absolute owner, perhaps for life, perhaps for years, but in either case he is bound to maintain and defend it, and hand it down in the same state to his successor. In no case is he entitled to call upon his neighbor to contribute towards the obligation. I apprehend that this is the right and practical view of taxation, and the one which is adopted and carried out by English law. Thus, in almost all taxes on incomes and property, whether land tax, probate duty, legacy duty, or income tax, the state makes and finds it is practically obliged to make no distinction in respect to length or shortness of interest, and assesses the holder of the income for the time being at the full rate.

John Stuart Mill says:

The supposed hardship of compelling people to disclose the amount of their incomes, in my opinion, does not amount to much. One of the social evils of this country is the practice or custom of maintaining, or attempting to maintain, the appearance to the world of a larger income than one possesses; and it would be far better for the interest of those who yield to this weakness, if the extent of their means were universally and exactly known, and the temptation removed of expending more than they can actually afford, or stinting real wants in order to make a false show externally.

Another of England's ablest writers says:

The inequality which is caused by this power of evasion is not, by many, so much objected to as what they allege the general immorality which will be produced by this taxation. It is, for instance, maintained that the income tax places so great a reward on perjury that men who would otherwise be honorable are tempted to deceive the government. I hardly think, however, that statesmen ought to pay much attention to such an argument. The honesty of such individuals, who are so easily led away from the paths of virtue and honor, are scarcely worth the fostering care of government. Every precaution should, of course, be taken to detect and punish those who make false returns, because the burden which they escape is thrown upon the rest of the community. Let us, however, hope that the general honesty of the nation is progressing; and that therefore, the force, if any, of the objection against the income tax, which we have just noted, is each year diminishing.

Sir Robert Peel, in his argument of March 3, 1842, says:

Nothing can be more frivolous or absurd than the extreme sensitiveness as to what a man's income may be. I believe that a very good estimate is usually formed of the state of a man's circumstances by those who care about inquiring into other men's property and the state of their credit. There is a keen and quick instinct in such parties which enables them to ascertain without much difficulty what their neighbors, or those with whom they happen to have dealings, are worth, and as to the terrors of the inquisition which I propose into men's private affairs, it is mere folly.

I quote from the speech made by Sir Robert Peel on the 25th of April, 1842, before the committee:

One of my reasons, as I originally stated, for proposing the income tax is that I might be able to affect the reduction contemplated by the tariff.

It includes a sacrifice of revenue to the tax of £1,200,000, and I am aware that the defense of the income tax must mainly rest upon the adoption of the tariff and its leading principles, which is the general impression out of doors; and my colleagues entirely concur with me in thinking that an income tax ought to be accompanied by measures of simultaneous relief.

He further said in his speech of March 18, 1842:

The objection to the income tax is that it is inquisitorial. I feel it is one of the best taxes that can be imposed. I make the proposition from a firm conviction that it will be infinitely less onerous and more just than any other tax.

In his speech of March 23, 1842, he uses this language:

Another objection to the tax on income is that it has a great tendency to drive people from England.

Why has not the present system of taxation a tendency to drive people out of the country quite as great as the income tax? What is there at present to prevent the great landed proprietors of this country from living abroad and from thereby escaping the action of both direct and indirect taxation? But what I propose is that those classes should be subjected to a direct contribution to the revenue, and from that contribution I apprehend that they can not possibly escape even by an absence. At least, then, my scheme has this advantage, that I call on him who chooses, either for his amusement or pleasure, to travel abroad and evade taxation at home to contribute his fair taxation to this Government.

But I do even more, I offer an inducement for the absentees to return. I propose by the amended tariff to reduce the cost of living in this country, which has hitherto, with a certain class at least, been the reason for residence abroad. I

expect that the result of the new tariff will be to reduce the cost of articles of consumption in this country; and let me ask, will not this have a tendency to induce absentees to return? I say it will. If by removing prohibitory duties and reducing the scale of duties generally I reduce the cost of living, I contend that instead of driving capital out of the country the general tendency of my measure will be to induce absentees to return and to insure their remaining here when they come back.

I have the strongest persuasion that if my general proposal be received by the House the actual sum each man will contribute will be exceedingly small. If my whole plan be adopted there will be a diminution in the cost of living, which will pay to the contributors of the income tax a large portion of the money they are called upon to advance.

Take the case of a man of £5,000 a year. He will contribute £150, and it is my fixed belief that he will receive back in cheapness of living the greater part of the sum he pays. My settled opinion is that the burden will be less than that rising from any other tax you could devise.

Sir Robert Peel, on the 8th of April, 1842, in his report uses this language:

Looking at the whole argument which I have made; looking at the taxes which I have proposed to lay on and to those which I intend to remove, I do not think myself warranted in saying that I have done all that could be accomplished for the working man, and most especially do I say this when I remember that I have exempted from the tax all incomes below £150 a year. I consider that in proposing the adoption of the income tax I give a great boom to the country, to the productive industry of the country, to the manufacturing, the commercial, and trading interests of the nation.

He further remarks:

The more I look at this question, the more I consider the amount of the sum to be raised, the more confident am I that the best measure now to be adopted is to resort to a tax upon income rather than to impose a tax on those articles of excise and customs to which I referred, and upon which an abatement of the duties has of late years been made. I believe that such an attempt would far more disturb the application of capital and the operation of active industry than would a call upon each individual to pay £3 of every hundred pounds. I have a strong conviction that the great mass of the lower classes will consider the voluntary determination of Parliament to accept for themselves and to impose upon the wealth of the country this tax for the purpose of relieving its burdens.

I have a strong opinion that it will be generally hailed on the part of the country as a strong proof of the determination of the upper classes to bear their fair share of taxation. Although I admit that the tax may press with additional severity, on account of the uncertain nature of profits, on that property which is derived from trade and professions, yet, when I consider that one of the main objects of this measure is to reduce the duty upon the raw materials of production, and that such a production will give the best chance for the revival of commerce, I can not but think that the measure will work for the especial advantage of those who are connected with the trade of the country. As to those who hold lands or those who derive their incomes from professions, I have a confident expectation that by reducing the cost of living I shall compensate them for a great part of its burdens.

The great argument now used by Mr. Howe, to which I have referred, is that this tax results with greater weight upon some districts in New York, for instance, and in the New England States, than upon other districts in the West and South. I defy that gentleman or anyone else to cite one broad canon of taxation advocated by any of the great writers that declares that men should pay a tax according to territory in support of a common government, instead of in proportion to their ability. In setting up this argument he has gone back upon the teachings of all the great writers of past years and done violence to the well settled canons of taxation.

I will add, however, that while I do not maintain that all the writers on political economy in the past have advocated income-tax legislation, I do maintain that out of a list of one hundred and twenty there are only four who have opposed the principles of income-tax legislation.

I have simply to say that while these advocates of the principles of political economy do not all of them come out in express terms on the income tax, they adopt these principles as laid down by Adam Smith and such writers. For instance, Cooley, in his work on taxation, declares that taking everything together nothing can be more just, as a principle of taxation, than that every man should bear the burdens of the Government in proportion to his wealth.

There are other authorities here that I should like to cite. I believe it is recognized, as it has been quoted by gentlemen on both sides of the House, that "Dowell's History of Taxation and Taxes in England" is an authority, the author being unbiased. You will find in the second and third volumes of his work that he says that the great key to the removal of the burdens of protective tariff is the income tax; that without that the great bulwark of protection could never have been destroyed; that without it the day which Adam Smith prophesied would never come, would have been waited for in vain. Let me recall the condition of England in 1776 as portrayed by Adam Smith. I can see the gloom of that old man as he writes these sentences, expressing his despair of anything like free trade or the removal of the burdens of the protective tariff in that country:

To expect, indeed, that the freedom of trade should ever be entirely restored in Great Britain, is as absurd as to expect that an Oceania or Utopia should ever be established in it.

He goes on to give his reasons. He says:

Not only the prejudices of the public, but what is much more unconquerable, the private interests of many individuals, irresistibly oppose it. Were the officers of the army to oppose with the same zeal and unanimity any reduction in the number of forces with which master manufacturers set themselves against every law that is likely to increase the number of their rivals in the home market; were the former to animate the soldiers, in the same manner as the latter inflame their workmen, to attack with violence and outrage the proposers of any such regulation—to attempt to reduce the army would be as dangerous as it has now become to attempt to diminish in any respect the monopoly which our manufacturers have obtained against us.



## A little further:

This monopoly has so much increased the number of some particular tribes of them that, like an overgrown standing army, they have become formidable to the Government, and upon many occasions intimidate the legislature. The member of Parliament who supports every proposal for strengthening this monopoly, is sure to acquire not only the reputation of understanding trade, but great popularity and influence with an order of men whose numbers and wealth render them of great importance.

Now, it seems to me that what I am about to read applies with special force to the chairman of the Committee on Ways and Means:

If he opposes them, on the contrary, and still more if he has authority enough to be able to thwart them, neither the most acknowledged probity, nor the highest rank, nor the greatest public services can protect him from the most infamous abuse and detraction, from personal insults, nor sometimes from real danger arising from the insolent outrage of furious and disappointed monopolists.

There is a picture of England in 1776 as drawn by Adam Smith. Dowell tells us how the system was changed through the agency of the income tax. To you men who are the friends of tariff reform, who believe that structure should be built up on sound principles, I say, you will never tear that structure down, never come effectually to the relief of the burdened masses of the country until you erect another structure, and put in the keystone of that arch the principle that every man shall bear his burden in proportion to his ability to pay. [Loud and continued applause on the Democratic side.]

The CHAIRMAN. The gentleman from Pennsylvania [Mr. BELTZHOVER] was next on the list. The Chair does not see him in his seat, and will recognize the gentleman from New York [Mr. COVERT].

[Mr. COVERT addressed the committee. See Appendix]

Mr. McMILLIN. Mr. Chairman, if I may interrupt my friend, as the hour for a recess is near at hand, if he desires to conclude his remarks this evening, I ask him to suspend long enough for us to get unanimous consent to extend this day session, or perhaps he will prefer to proceed in the morning.

Mr. COVERT. I should be glad, Mr. Chairman, to be permitted to conclude my argument in the morning. I shall not occupy much more time.

By unanimous consent, Mr. COVERT obtained permission to continue his remarks in the morning.

The committee then rose; and the Speaker having resumed the chair, Mr. RICHARDSON, from the Committee of the Whole, reported that they had had under consideration the bill H. R. 4864, and had come to no resolution thereon.

Mr. DOCKERY. Mr. Speaker, before the adjournment is announced I ask leave to introduce two bills to be referred to the joint commission of Congress to inquire into the status of the laws organizing the Executive Departments, with leave to report at any time.

The titles were read, and the bills were severally referred as requested.

A bill (H. R. 5529) to repeal section 311 of the Revised Statutes of the United States.

A bill (H. R. 5530) to regulate the making of property returns by officers of the Government.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I ought to have announced before leaving the Chair that no gentleman has asked for time to speak against the tariff bill at this evening's session, so that any gentlemen desiring to speak on that side will have an opportunity.

The SPEAKER. The hour designated in the special order having arrived, the House will take a recess until 8 o'clock p. m., the evening session to be for debate only. The gentleman from Indiana [Mr. BROOKSHIRE] will take the chair.

## EVENING SESSION.

The recess having expired, the House was called to order at 8 o'clock p. m. by Mr. BROOKSHIRE as Speaker *pro tempore*.

The SPEAKER *pro tempore*. The House is in session this evening, pursuant to the special order, for further consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

The House resolved itself into Committee of the Whole House on the state of the Union, Mr. LANE in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the purpose of considering the tariff bill.

## TARIFF.

[Mr. KILGORE addressed the committee. See Appendix.]

Mr. McDANNOLD. Mr. Chairman, there is a remarkable unanimity of expression regarding the pending measure. Even its authors apologize for it and gentlemen on both sides of the House agree in denouncing it, though from far different standpoints. For myself, I will say that it pleases me no better than it does my earnest friend from Ohio [Mr. JOHNSON]. It seems cowardly for us to deal with the most important question that

can come before this House in such a manner as to afford so limited relief to the millions who are suffering from the fraud called protection. The tollers of this country pour gold into the coffers of the protected interests. Out of their meager savings they contribute their mite to enrich those who wax fat through fraud and false pretense. Protection never benefited the poor laborer with only his labor to sell.

No tariff wall has ever been raised against the free importation of labor, and while that is true every provision of law that enhances the cost of commodities labor must buy while adding nothing to the wage that labor may demand, must of necessity rob the toiler for the benefit of the employer. It is only the rich who stand at the door of the Ways and Means Committee begging for protection. That committee never hears the prayers of the poor laborer save as they may come to their ears in the form of a petition forced from them against their judgment by the terrorizing threats of favored monopolists.

Sir, I believe most firmly in the right of petition. I believe the humblest citizen has a right to be heard before the highest tribunal in the land equally with the most eminent. But, sir, I am free to say that the limit of this right has been exceeded since the honorable gentlemen of the Ways and Means Committee began the preparation of the pending bill. By warrant of the people and by the promptings of our own consciences, we were met in this House for a certain definite purpose. Never before in the history of this country have the people been so emphatic in their expression regarding our fiscal policy as at the last general election. Never before have their Representatives approached their duty in this House so firmly bound by the plain demand of their constituents. There was full and fair "hearing" on the tariff question before the electorate in the last Presidential campaign.

The American people then declared in the most unmistakable terms in favor of a tariff for revenue and against protection. Meeting here for the purpose of giving effect to this verdict, I claim, sir, that the interference of a protected manufacturer was a piece of impudence only possible in the case of men who have lost all sense of decency through their long years of legalized robbery. The very fact of their appearance before the Ways and Means Committee as mendicants for further favors, the very fact of their claiming some change in a proposed law for the purposes of "protection," was sufficient cause for the honorable chairman of that committee to show them the door.

There is no warrant in the hands of that committee, nor of this House in any capacity, to frame a bill for the purpose of protection. It must be understood once and for all that revenue ceases where protection commences, and every proposition looking to the transfer of the proper revenue of the people into the pockets of the monopolists, who have too long ruled in this Hall, is at variance with honest principles of government and, thank God, contrary to the commands of a Democratic majority. [Applause on the Democratic side.]

I know the attempt is made to deceive the people with the false pretense that the workmen are not to be benefited by this legislation. The claim is that if by protective laws we give the employer a chance to pay higher wages, then he will take care of the poor laborer. Following closely upon this absurdity comes the threat that wages will be reduced if the tariff wall is lowered and the products of the pauper labor of foreign countries allowed to come in here free.

One gentleman, with a degree of impudent audacity that is so extreme as to be amusing, declares that even the free gift of cargoes of foreign products would be a curse to the people who received them. That gentleman would have stood with uplifted hands in the wilderness and hurled his epithets at the Almighty because he looked with pity upon the escaping Israelites and rained manna upon them for their daily bread. The gentleman believes, apparently, that it would have been better for the children of Israel if they had been allowed to waste their time and energies in the raising of food in the wilderness, rather than to pick up their daily bread as a free gift of God. [Laughter.]

And we are told, even by some gentlemen on this side of the House, that we must not at this time too suddenly remove the people's burdens, but must give them opportunity to recover from the business depression which every one knows to exist.

Against this senseless sophistry it is difficult to present a respectful argument. Charity may be exercised to those who have brought themselves to believe the tariff not a tax, but a real blessing, when they adduce the old time-worn stock arguments of their school. But when this argument proceeds from gentlemen who have had the privilege of associating with Democrats and of hearing economic truths honestly discussed, I will confess that I am tempted to substitute an expression of contempt for argument.

There is neither logic nor truth in the claim. If protective tariffs will raise this people from the present distress, then I say



that no reduction of the tariff can ever be defended. If it is possible to restore confidence to the business community or open avenues of employment to the hand of labor by retaining a law which the people have pronounced a monstrosity, then I say there can never be found warrant for lowering that tariff wall. Look at the absurdity of the proposition. All enterprise is prostrated in this country. In every one of the great industrial centers laborers walk the streets in indolence, and cover their faces in shame as they approach the soup house to escape starvation. Under such circumstances the Democracy of the nation are asked to redeem the promises made in their platform. They are asked to remove the barriers which stand between labor and employment, and lo! they are told that they must withhold their hands, because, forsooth, labor is in distress, and it will not do to give it too great relief all at once. It is as if we saw a poor fellow struggling with a load up a steep hill, one of his legs manacled, and proposed to give him greater strength by removing the bonds and leaving him free to exercise the faculties with which nature had endowed him.

In such a case I presume the gentleman from Massachusetts would denounce the man proposing to give immediate relief and argue that it would not do to remove the bonds too suddenly. And I am sorry to say we have had evidence that if such a proposition under such circumstances were brought to the attention of the Democratic majority of the Democratic Committee on Ways and Means there would be some timid souls so influenced by the fetich of protection that they would ask us to go slowly and not give too immediate relief to the man ready to sink under his burdens. [Laughter.]

Sir, I am at loss for words with which to fitly characterize such senseless arguments against the establishment of conditions of freedom in this country. It is true that labor seeks employment. It is true that workingmen seek soup houses for the necessities of life. But, because this is true, I demand the most certain relief by a removal of every vestige of protection from our statute books.

Let us turn for a moment to a consideration of one of the industries that has been represented by petitioners for further bounty. I refer to that of iron mining. Away up in Minnesota there has been discovered an iron range that is so rich as to have overthrown all previous experience in this or any other country.

The Mesaba range opens a new era in the production of iron and steel. It is a misnomer to call its development iron mining. All they have to do is to scrape off a few feet of superincumbent earth with a steam shovel, and then the same steam shovel dumps the 70 per cent ore into the cars ready for transportation to the mills, where American laborers stand idle awaiting employment. Let me ask any apologist for protection in this House what he would say to the man who proposed to erect barriers between those mines and the furnaces? What would he say to the man who argued that labor must be deprived of this bounty of nature? Would it be possible to convince any sensible man that labor in this country would be benefitted by some provision that made it more difficult to secure that rich ore?

Is it not true, rather, that everything that makes it easier for the laborers in forge or shop to secure this ore for their industries is so much to their own benefit? If now some inventor would provide a way by which that ore could be placed at once in the hands of the laborers free of cost of transportation, would it not tend to increase the wages of labor? But the whole theory of protection rests upon the contrary assumption. It demands that this iron ore shall be burdened with increased cost before it can be touched by labor. It demands this in the name of protection of American laboring men.

What, sir, would be the effect of maintaining the present iniquitous tariff tax on iron ore? Would it not be to enhance the value of the Mesaba range? Is there a gentleman in this House so ignorant of the simplest principles of economics and the ordinary routine of business as not to know that the announcement of the failure of a Democratic Congress to remove this tax would be followed by an immediate rise in the price of stock in this range? And, sir, if labor seeks employment and starves because of its lack, will some gentleman standing for monopoly explain how it can be relieved either by postponing the day of relief or by limiting its scope?

And there is one point that must not be overlooked in the discussion of this question of tariff and wages. Since the enactment of the first tariff bill for raising revenue in this country the beneficiaries of indirect taxation have been constantly changing their ground, as they found it necessary for the defense of their increasing exactions. In the early days it was affirmed that a tariff for protection was necessary because of the higher rate of wages prevailing in this country. Then it was claimed that the manufacturer must have protection in order that he might reap some of the benefits accruing to the laboring men

because of conditions that enabled workingmen to demand higher wages than those ruling in foreign lands.

There can be no mistake about this. Everyone who has studied the progress of this tariff legislation is familiar with the fact I have quoted. High wages were a condition precedent to the enactment of a tariff. They were the natural results of a new country with natural opportunities not yet monopolized. There were avenues of employment open to the hand of labor everywhere. No man could depress labor below that reward possible to be gained by the application of effort to the natural opportunities which then abounded. Let any gentleman on this side of the House turn to the letters of Thomas Jefferson and he will find full support of my present statement.

I do not for a moment defend the policy which was thus established for the purpose of diverting from labor its just rewards. I look back with admiration upon the life and teachings of Thomas Jefferson. I believe him to have been one of the purest patriots whose lives have shed luster upon their country. But neither do I believe that Thomas Jefferson can be quoted in favor even of a system to which he gave his assent under the light that was before him. He was a man of progress, and as a man of progress was a worthy founder of the Democratic party as it stands before the people to-day.

But it would be as illogical to demand a return to those methods of transporting the mails advised by Thomas Jefferson as to ask that a system of taxation which has been demonstrated, in the light of the nation's experience, to be fruitful of crime and injustice to the producing classes should be sustained forever simply because the light of the close of the nineteenth century had not shone on the patriot who at its opening demanded the best he could conceive for the plain people.

We find, then, that high wages preceded the enactment of the tariff law. They were the excuse for its enactment. For nearly a century the people have had cumulating proofs of the folly of supposing that manufacturers and other forestallers protected by a Federal law would bestow in wages any part of the plunder placed in their hands under cover of law. The unwelcome confession has been forced from the mouths of defenders of the system on this floor that the only way in which the laborer could secure a portion of this tariff bounty was by the maintaining of labor unions. And then the further confession has been wrung from these same gentlemen that capitalists thus protected are justified in wasting hundreds of thousands of dollars in an effort to break the force of labor organizations by a lockout of strikers.

The old cry has been silenced by the logic of events, and now it is impudently claimed that high wages depend upon the tariff, the same tariff which was originated because wages were high. It is only the tenderfoot in the protection camp who now asks for a tariff on the ground his father held. It is only the tenderfoot in the Republican camp who now prates of the infant industry, while a tariff is levied to protect the forest primeval and to stimulate the flow of salt wells. But they must have some falsehood with which to humbug the people, and they throng the corridors of this House and demand license for further tribute, taking under the more modern plea that if the employer be protected by a tariff bounty he will thus be enabled to pay higher wages to his workmen.

Sir, I am tired of this special pleading with which this discussion of the tariff bill has been characterized. It is to me a pitiable sight when men come into this Hall under the warrant of the Democratic party and beg for a high tax on collars and cuffs for the alleged benefit of workingmen in their district when they know that the employers in every manufactory will seek labor in the cheapest market and hold wages down to the lowest limit, whether the tariff be 75 per cent or 7,500 per cent.

Already there have been indications in this House that the sentiment of this people has found echo and lodgment in the hearts and minds of a vast majority of the gentlemen who stand for the Democratic party on this floor. Never before in the history of this country have the pages of the record of this House so bristled with arguments in favor of a greater freedom. No longer do we hear men masquerading under the cowardly evasions of "tariff reform." There are, it is true, still a few gentlemen wearing the garb of the Democracy who have failed to see the trend of events. But they are in an insignificant minority and will be overwhelmed in the tide which has obliterated all signs of cowardice in the demand for free trade. That is no longer a tabooed expression among men who stand for Democracy. No apology for the expression is heard and everyone who has noted the progress of this debate must have been impressed with the fact that the day of evasions has passed, I trust never to return. [Applause.]

I am aware, sir, that the pending bill is but a step in the right direction, even with all the improvements that have been placed upon it in the House since it came from the hands of the committee. I, too, have been strongly tempted to stand for the com-



mittee in response to the appeals of its illustrious chairman. Long before I entered this House I had learned to look upon him with admiration, and my experience here has strengthened the feeling of regard and esteem I am proud to affirm for him. But, sir, I have voted against every proposition to increase the burdens of the people and in favor of every proposition looking to their diminution. And even yet the bill is far from perfect.

But it is a step, and a step in the right direction. And here, pleading for the rights of the great plain people of this country, pleading in behalf of a policy that I believe must be adopted if American institutions are to stand, I accept this bill with all its imperfections, with the words that have to all worthy seekers after better things an ever increasing force,

I do not ask to see the other shore,  
One step is enough for me.

And, sir, I believe this is but a step in the reform of our fiscal system. The people have demanded a reduction of tariff taxation because they have learned something of its incidence. They have discovered that a tariff tax levied upon any product of labor must necessarily be added to the cost of that material and included in the selling price; they have discovered that, because of this, every dollar of such taxation is paid by the consumer, and I have had practical demonstration of the fact that the expression of the honorable gentleman from Ohio made upon this floor has met with the hearty approval of my constituents. He said, "I would rather tax what men have than what they need."

For this, among many other reasons, I am in favor of the income tax. I note the argument upon this floor, that this is a war measure; that it is inquisitorial; that it offers a premium to perjury. There is a simple answer to be made to these arguments. In presenting them the opponents of an income tax confess the whole case. They expose their poverty. They teach every one capable of following a logical statement that there is no fair argument against the proposed tax known to them. Was it a war measure? Then, indeed, it may be said that this same argument applies to the increased tariff tax which the country is paying to-day and was never thought of until the rebellion.

Is it inquisitorial? Then what shall be said of our personal-property tax? What shall be said of the army of special appraisers, and the inspectors who line the docks at which are landed gentlemen of wealth and intelligence on their way back from Europe? Are those inspectors there for any other purpose than that of inquiring into the private affairs and searching through the trunks of the passengers? And they tell us that this offers a premium to perjury. Every inspector of the custom-house examining the baggage of an incoming passenger, every act in the appraisal department is an indication of the fact that tariff taxation tends to promote perjury.

But, sir, there is a strong reason why these gentlemen oppose the income tax. You will have noticed that immediately upon the proposition to include this tax in the pending measure there were protests received from all the large centers of trade. From the boards of trade, from chambers of commerce, from clubs, where congregate men who wax fat in traffic, came protests against what they termed the iniquitous proposition. I can readily understand why these gentlemen should fear an income tax. They have been in the habit of escaping all such taxation because the Federal Government has levied its tax upon products of labor, commodities dealt in by these gentlemen, and they have simply included the tax in the selling price of their goods and the consumer has paid it entirely.

This is the lesson that the people have learned of the incidence of taxation. They want a tax that will stay put. [Laughter.] They want a tax that will compel those receiving large incomes to pay their just proportion of the expense of the Government. They want a tax that will not hurt or cripple those who pay it; a tax which is only for revenue; a tax which reaches property not otherwise burdened; a tax on those who ask the most and have hitherto paid the least; a tax which corrects gross iniquities which have been created under an unjust system. I know the argument is made that the income tax can be shifted as well as that upon a product of labor. That this is not true can be easily demonstrated.

Let it be noted that I do not claim that this tax can not in any degree be shifted from the burdens of the person who originally pays it. But I do claim that less than any other tax thus far levied in this country, or in any other, so far as I know, can this be shifted. I will give an illustration of the tendency of this tax to stay put. If a tax, either at the custom-house or in the form of excise, should be levied upon any product of human industry, it must of necessity be included in the selling price of the commodity. If this tax should amount to 100 per cent of the cost of the article, it must still be included in the selling price.

But if an income tax should be made equal to 100 per cent—that is, should include the entire income—it is perfectly appar-

ent that no part of it could be shifted from the burden of the citizen so taxed, for if any addition were made to any items upon which the income was based and the income thereby increased, the 100 per cent of the tax would include the last addition. This is a demonstration of the tendency of the income tax as against the possibilities of a tax upon a product of labor. There may be isolated instances in which some portion of the income tax levied upon the returns for property peculiarly situated may be added to the rent of that property, but these cases are so isolated as not to furnish valid exception to the rule, that the income tax once paid tends to the condition of justice I have noted.

It is objected to this tax that publicity attaches to it, that the world may know what each citizen pays. I believe that this objection is one of the strongest arguments in favor of the proposed tax. It is a matter of comment that in the towns and villages of this country, where the revenue for the support of the local government is derived from taxation almost entirely direct, there is more public discussion, and that more careful scrutiny is made of a proposition for the purchase of a dozen brooms than is had in this House over a bill to expend millions of dollars. The reason for this is clear.

The people understand that they are to be taxed for the cost of the brooms if the taxation is direct; but if it is to be levied in the form of a tariff tax at the custom-house, and is to come out of one great fund—which some men believe the foreigner pays, and others believe somebody else but themselves pay, but all are conscious of the fact that no one pays when he can escape—the tendency is to extravagance, to the creation of debt, forming an unnecessary burden upon the industries of the country. It is the secrecy of the protective system that has endeared it to the rich. No one but the protected has ever been able to tell just what the gains have been under this system. Its secrecy and insidiousness have been its strength. Its indirect action is responsible for its continued existence, and for the blindness of those who pay it. Not so with an income tax; everyone can know, and take an interest in knowing, just how much his neighbor pays in proportion to the amount he pays, and each citizen is interested to see that it is economically expended.

Let it be remembered that the Democratic party is committed to the principle that no tax can be justified except it be for the purpose of revenue. This is, to my mind, one of the strongest arguments in favor of this measure. Under it I believe that rich law makers will be more willing to practice economy in legislation, for they will realize that lavishness in appropriation will hurt them. They will then, indeed, be paying money out of their own pockets—a new sensation for many of the millionaires in this country. It will be looked upon as a disaster instead of a political blessing for men who will be forced to pay from their own incomes a portion of the tax necessary to recoup the Treasury.

It is objected that true returns will not be made, and that the income tax will encourage perjury. It is a strange comment upon the condition of public morals that these arguments are found in the press of our great centers of wealth, and that they are uttered here upon this floor by gentlemen who claim high standing in the community as representatives of the wealth and intelligence of the country. Is it true that these gentlemen who have waxed fat from the profits of past class legislation have become so demoralized that they will all swear to a falsehood in order to continue the exemption from taxation which they have hitherto enjoyed?

Is it possible that wealth and intelligence in this country must be coupled with so lax a regard for truth, with so elastic a conscience that an oath will be taken to save a small portion of an abundant income? Is it possible that after one hundred years of experience in raising revenue for the support of the Government by means of a tax upon the consumption of the people, which tax must necessarily have been paid most largely by the poorer classes, that now the proposition to levy an equable and just tax upon incomes awakens suspicion that the better classes, so-called, have become so corrupt that they will be universal perjurers?

The contrary claim is made in this House in regard to the so-called upper classes upon other occasions, and it seems to me that if the fears of these gentlemen were justified it would have been a kindness to suppress them. And I want to give these opponents of the income tax who raise this objection a single hint. There are other ways of escaping taxation than by perjury, and it is a sorry lesson in these days of soup-houses and paupers for those who stand as exemplars of the highest forms of civilization to openly avow their belief that the wealthy American people will resort to perjury in order to escape the proper burdens of government. I will confess to a desire to shield some of these favored pets of fortune from temptation to false swearing. I can imagine with what pain some of the denizens of the tenderloin districts of New York and Boston will look upon a proposition



that their dainty fingers must be forced to draw a check for the vulgar purpose of paying a tax. [Laughter.]

I know it is a sad thing to place extra temptation in the pathway of these gentlemen. They have little to occupy their time, save in spending money. They have little to keep them in the straight paths of virtue. They illustrate the statement that the devil finds much for idle hands to do.

Just one word in regard to the suggestion that this is a war tax. I want to remind the gentlemen upon this side of the House that they are now taking a step to rectify what seems to me to have been the most unjustifiable course in the adjustment of taxation at the close of the war.

Look back at the legislation from 1866 to 1884 and you will find that in every instance the effort was made to remove the burdens from the shoulders of the rich, while increasing those that rested upon the poor. We repealed the income tax, which touched no man engaged in manual labor. We repealed—and claimed in doing so that we were helping the cause of labor—a tax upon bank checks and notes, with terrible sarcasm assuring the laboring men of this country that when they drew their checks upon their bankers they would be saved the necessity of this 2-cent tax.

We removed the tax upon the strictly revenue articles of coffee and tea under the shallow cry of a "free breakfast table," while we increased the tax upon the table itself, the cloth which covered it, the plates, the cups, the spoons, the knives and forks, the napkins, and everything that went to make up that "untaxed breakfast table." And we did this well understanding that the tax which was removed was one which had been paid into the Government Treasury, while the tax which remained and was increased was one which was paid to a petted manufacturer.

The Democratic party has always been, and is now, the friend of the poor. It is a party composed as a whole of poor but patriotic men. And, Mr. Chairman, all over the mighty West and South our people almost to a man favor an income tax. They are for it without regard to party—Democrats, Republicans, Populists, and Prohibitionists. It is demanded by all. Pass such a law, reasonable in its provisions and not too drastic, and the rich who have so long been favored will pay their proportion of the taxes, while the common people will rise up and call you blessed. [Applause on the Democratic side.]

[Mr. STOCKDALE addressed the committee. See Appendix.]

[Mr. LYNCH addressed the committee. See Appendix.]

Mr. WILLIAMS of Mississippi. Mr. Chairman, I stated when I had the honor to address the committee this morning that the income tax, so far from being a new thing, was a system of taxation which had been adopted in all times by all democracies everywhere, and I illustrated that statement by citing the laws of Solon in Athens. I had intended to extend my remarks in the RECORD, but owing to the kindness of a fellow-member I have the unexpected opportunity of finishing them now.

I shall proceed to cite other instances of the imposition of income taxes as matters of contemporaneous history; to tell where they exist, and how they have been received.

Of all nations on the face of the globe next to America Great Britain, the mother country, to-day is most nearly a pure Democracy, if we except the cantons of Switzerland, which are more purely democratic than either Great Britain or America. In Great Britain there has been an income tax for fifty years. The rate was 6d. on the pound in 1893, and it is 7d. this year, 1894; which amounts to about 3 per cent. Under that law are exempt all incomes under £150, about \$750. In addition to that, incomes under £400 are subject to an abatement of £120 in the payment. There are also other exemptions which I will not dwell upon now. The total revenue derived from this source in the last fiscal year was £13,240,000 sterling, which is equivalent to \$66,200,000 of our currency.

As to how the income tax has worked in Great Britain, it is worthy of notice that it was imposed there, just as it is being imposed here, in aid of tariff reformation, because it was found necessary at the beginning of tariff reformation that other auxiliary taxes should be resorted to. So far from being unpopular in Great Britain, the income tax has become more and more popular all the time, and has been the elastic feature of British taxation, the one thing which varies while other things, the alteration of which would disturb business interests, remain stationary.

In Switzerland, the purest democracy on the face of the globe to-day, they have gone so far that in Zurich and some other cantons they, by constitutional enactment, require that indirect taxation shall be no further imposed upon the people. Under the head direct taxation they class the income tax. Here, however, under our Supreme Court decision, an income tax has been held not to be a direct tax. In Zurich, Geneva, Berne, Basle, and in nearly all the cantons of Switzerland an income tax ex-

ists, and in every case it is a progressive tax with exemptions. So far from being unpopular, it exists and is being extended by the demand of the people and is as popular as any tax can be.

In Prussia the income tax has existed for twenty years. The exemptions are incomes under 900 marks, and in the case of incomes not exceeding 3,000 marks 50 marks in the taxable income are exempted for each child in the family under 14 years of age; a very beautiful exemption, one founded upon a right principle and one that I would like to see engrafted upon this bill.

The rate is graded. Incomes under 1,200 marks pay 1 per cent. Incomes over 3,000 marks pay 2 per cent; incomes over 10,000 marks pay 3 per cent. The tax has been in operation there twenty years, with no changes except to lower the rates upon the lower incomes and to raise the rates upon the higher incomes, and, I believe, though not quite certain, to increase exemptions. But, as the German Empire has become more and more democratic, as Prussia has ceased to be an absolute monarchy and has become a limited constitutional monarchy with democratic features, the income tax has taken a more important place in the system, because, as I said this morning, it is an equal and therefore a democratic tax.

In Bremen, one of the old free towns, but now a part of the German Empire—and, if you except Switzerland and the cities of Italy, the places where democratic principles had their first birth on the Continent of Europe, free republican institutions, was in the Hanse towns—in Bremen the income tax has been in existence for forty years, with a rate at present of 4 per cent. And when the income goes over 6,000 marks the rate is increased.

In Bavaria there has been an income tax for forty-five years.

In Austria the income tax is progressive, the rate rising in proportion to the income, from 8½ to 20 per cent of net income. The yield from this source in that poor monarchy last year was \$10,000,000. The tax has been in existence since the beginning of the nineteenth century. The exemptions are laborers' wages, interests on deposits in savings banks, and incomes not exceeding 315 florins, about \$113.80.

In Italy \$45,000,000 was raised on income tax last year.

I will say nothing more about that.

These are some of the many instances. If you will take the history of those countries, you will find that just in proportion as they have become democratic, just as the idea has grown that the common people had rights which somebody was bound to respect, just in that proportion the privileged classes ceased to have complete exemption from taxation and the old systems have been followed by income tax and inheritance tax, and the poorer class of people, as they ought to be, get the benefit of the exemptions, where there are any exemptions at all.

With this principle of equality of sacrifice before him, let each American citizen institute a comparison between tariff taxation—not a protective tariff, for I do not care to enter into that now, but a tariff for revenue only on the one hand, and an income tax upon the other. With the idea of equal sacrifice in your mind, the first thing that strikes you is that all tariff taxation is a tax upon consumption—upon what one wears and eats, upon the freights which one ships, upon the passage which he pays the railroad; some sort of consumption, either for transportation or things eatable or wearable—things destroyed in the using. The next thing that strikes you is this: That the measure of taxes upon consumption, like the tariff upon imports, is *things consumed*.

Think of it.

The other measure, the income tax, is *value received*. Take it as a question, not of protection at all, but a question of taxation by tariff for revenue only on the one hand and by income tax on the other. Which one of these two systems most nearly demands and secures equality of sacrifice from each citizen in proportion to his ability to support the state? Do men eat or wear clothes or take medicine in proportion to their ability to pay taxes? Do they pay in proportion to ability when they pay on the amount of salt consumed by them, or on the amount of sugar or quinine, clothing, coal, tools, or implements of trade and of agriculture, of silk even, or of broadcloth? To a certain extent in the cases of silks and broadcloths and wines, they do. Take the wife of my friend and colleague from Texas, or the wife of any other man of the middle classes who wears silk. She consumes very much more than one-hundredth part as much silk as somebody's else wife worth a hundred times as much; so that even in luxuries the tax upon consumption is not in proportion to financial ability.

Take tea, coffee—anything upon which an import duty is levied now or has been levied in the past by the United States and paid by the consumer, and the amount of these things consumed by the poor man amounts to almost as much as the consumption by the rich man. In some cases it amounts to more, absolutely. Take salt, for example. The poor man consumes



more salt than the rich, because it is the only sort of condiment to make his food palatable which he uses at all, and because salt meat and salt fish constitute a larger part of his food. Other men dispense with it to a very large extent. That is true also of quinine, a medicine upon which a tariff tax used to be levied, but is not now. It is true concerning tobacco, and a great many other things.

You levy an import duty upon steel rails and locomotives. Who pays the tax? Why the railroads do in the first instance; but after awhile and ultimately the people who take passage upon the railroads, or who ship and receive freights—shifting it around among them; and chiefly those who ship or receive bulky articles of freight like agricultural products. The poor farmer—"the forgotten man"—must pay the piper. It is paid by the consumer also, shifting more or less from one to the other; now the consumer upon the one hand pays it and now the farmer upon the other loses it. The railroads do not pay it. It is the people who pay it. Is it paid in proportion to the ability of the citizen to support the Government? Not at all. But it is paid in proportion to the necessities of production and consumption.

Mr. Chairman, Mr. James H. Canfield says:

We need cheap transportation. Up to 1883 we had paid \$10,000,000 more than we ought, more than was necessary for the track which is laid within this State.

Meaning the State of Kansas. Upon this, as a part of their capital invested in the plant, the railroads had to earn interest. I have computed 6 per cent upon that; if the railroads got it, and I suppose they did, it amounts to \$600,000 a year paid by the people as a bonus, for which the railroads did not get the benefit even, but which passed through them from the people on its way to the protected manufacturers. He also said that "one firm alone in Wisconsin engaged in manufacture of agricultural implements largely for the Western trade paid in a single year more than \$30,000 of increased price on the iron and steel which it used."

Who paid it? In what proportion? In proportion to ability? Not at all. In proportion to needs, and needs of what? Chiefly the needs of agriculture—tilling the soil—the primitive occupation of man, and the least liberally rewarded occupation in this country.

But, Mr. Chairman, a main objection to tariff taxation or to any form whatsoever of taxation on consumption, even when levied only for revenue (and although I do not want now to get involved in the protection argument, *a fortiori*, when levied for protection with higher rates), consists in the fact that it taxes the man with the most children most; and as my friend and colleague from Mississippi and I come from districts where children are numerous, it becomes important that we should think of this feature in the operation of the law.

With the same wealth as the man of small or of no family, the man of large family is at an industrial disadvantage anyhow.

He who has the larger family has the heavier drain upon his resources. So that this tax upon consumption is not only unjust and unequal as between persons, but worse than that, is, as has been well said, a tax "not upon the person, but upon the family." Men are made to pay taxes in proportion as they have obeyed the Biblical injunction to multiply exceedingly and people the earth.

It is perhaps owing to an instinctive desire to harmonize Republican families with Republican taxation that it has become an appalling fact in certain sections of this country, Mr. Chairman, that motherhood is unfashionable.

A tariff on necessities and personal and family comforts, as a revenue tax, can not be supported by any sound logic unless it be the logic of necessity. It is, as a system of equal taxation, only one grade farther removed from barbarous fiscal methods than the poll tax or the business license tax, and has not, as the latter frequently has, the excuse of being a police regulation. But for the theory of protection a tariff on necessities and comforts, when not a necessity of state, would be too crude a form of taxation to be seriously debated in any civilized country.

In addition to its inequality, it is an extremely *inelastic* system. When revenue is most needed you get the least revenue. When revenue is least needed you get the most revenue. In times of war (and this was well illustrated in the war of 1812 and in the war between the States), when most revenue is needed, commerce on the sea being disturbed—maritime insurance rates being unduly inflated because of the risk of vessels liable to be attacked by privateers—imports practically cease, and revenue ceases. In times of prosperity, when you can largely get along without it, then revenue increases.

So it leads to a system which has been in vogue in America, the only civilized country in the world where it has been in vogue, of not having any "budget;" it leads to a system of fitting your expenditures to the amount of money you have in the Treasury,

instead of first settling what amount of money is needed for the economical administration of the Government and subsequently proceeding to collect that amount of money and that amount only from the people. It is the very opposite, therefore, of an *economical* system of taxation. It leads to thriftlessness, carelessness, and extravagance of taxation. And when the element of fancied protection to labor and real advantage to capital in certain industries protected by tariff rates from competition enter into the problem, it not only is uneconomical, if I may frame a bad English word, but it is *antieconomical*, because there is a positive bonus offered to extravagance. Extravagance grows by feeding upon protection. Protection in turn grows by feeding upon extravagance; and each grows by feeding upon itself.

The people of the United States have been for several years spending half a billion dollars a year, which is \$8 yearly for each man, woman, and child in this country. This is the amount which the heads of families pay to the Federal Government outside of what they pay to the manufacturers; for although all this tax is not collected by import duties, a great deal of it is, and all of it is on consumption; and in internal revenue taxes and import duties each head of a family pays more than he pays for State, county, and municipal taxes; but he does not know it.

The consequence is that while he watches his member of the State Legislature like a hawk and keeps the State down to such a condition of revenue that it can not carry out satisfactorily the duties of statehood, he does not watch the National Government, but allows all sorts of extravagance and jobs to be carried through. If the citizen yearly saw a statement of the tax as it is actually paid by him—his Federal tax receipt—how long do you suppose he would allow 350-odd politicians in this House, 80-odd politicians in the other House, and 200,000 of them in the Executive Departments to fleece him and to feed upon him?

Tariff taxation, therefore, is *inelastic*. It is unequal. It is uneconomical, and if it is protective in its features it is *antieconomical*. The income-tax payers, the men of wealth and influence, would soon inaugurate a reform in the expenditures of this country; and, after all, it is upon the expenditure side of the ledger that the reformation is to be made. The taxpayer would not put up so easily with fraudulent pensions. The nine manufacturing States of this Union, which have by the protective system drawn to themselves over half of the wealth of the entire country, would be interested in enforcing economy of expenditure, instead of being, as they are now, directly interested in encouraging extravagance.

Now, speaking of elasticity of taxation, it may be answered that all taxes are wanting in elasticity.

That is true to some extent, but a tariff tax is least elastic of all, because when revenues are superabundant, or when a deficiency is threatened and a change in tariff taxation is demanded in order to increase or to decrease revenue, you disturb all the business interests of the country, and necessarily hurt them while you are doing it, so that you have a system that all men hesitate to touch, whether for the purpose of raising or lowering it. So the tariff taxes are the least elastic of all taxes. Income taxes are the most elastic of all, for the reason that the rates can be raised or lowered with the minimum disturbance to business interests.

Let us now take another point of view. Let us consider the cost of collection. An income tax costs one-third less to collect a given amount than tariff taxes do. In support of that I will read to you from Richard T. Ely's book, *Taxation in American States and Cities*, pages 90 and 91:

For the first twenty-five years of the existence of our Federal Government the average cost of collecting the customs duties was a little less than 4 per cent, while it is now about 3 per cent. The cost of collecting all Federal revenues during the period immediately following the civil war was between 3 and 4 per cent. The customs duties cost now 3 per cent to collect, while the income tax cost only 2 per cent. It was the cheapest tax collected, except the tax on national banks, which cost nothing to collect.

The above is based upon a statement by Senator SHERMAN in a speech on the income tax in the United States Senate, January 25, 1871, and I think the fact will not be denied by any Republican or by any opponent of an income tax. The cost was 2 per cent, and yet learned and distinguished gentlemen from the State of New York stand up here and urge as an objection to an income tax that it is "difficult and expensive to collect," with history staring them in the face. And in England and Switzerland the tables show that it does not cost as much as it cost here at the time it was in vogue.

Besides that, tariff taxes not only cost 3 per cent to collect; they cost that much for the part which reaches the Federal Treasury. God only knows how much they cost the citizen for that part which reaches the pockets of the manufacturers.

But it is said that an income tax is difficult of assessment and is easily evaded. In this connection I will quote again from Prof. Ely's *Taxation in American States and Cities*:

It is said that it is difficult to assess it fairly. It is incomparably more



difficult to assess a personal property tax fairly. It is so much easier to assess an income tax that assessors sometimes first assess a man's income, and then on the basis of that estimate his probable personal property. This plan is sometimes followed in the city hall in Baltimore. It is, indeed, on this account that a part of the prejudice against the income tax exists. I do not intend to express any condemnation of men of large means as a class, but you will find among them, as in all classes of society, unscrupulous persons. Now, these found the income tax a less easy tax to evade than the personal property tax, and precisely on that account they raised a hue and cry, which by reason of their control over influential newspapers attracted undue attention. In the case of the Federal income tax its very excellence was turned against it. A chief objection to it was that it accomplished exactly what it was intended to accomplish.

No one pretends that the publication of the valuation of a man's personal property will injure him in any way or destroy his credit; that was alleged with reference to income tax. Why the difference? Because the one was more nearly accurate than the other. No one attaches any importance to the publication in the newspapers of personal estates taxed in New York and Brooklyn, but importance was attached to the income-tax returns.

Any man who is honest must confess that it is easier to discover income than personal property. I own a promissory note, but where it is I do not know. How can a tax assessor find it? If he finds it, how can he tell what it is worth? I do not know myself.

It may be paid, and it may not be paid. If I receive my income from it in the shape of interest that is something which I know. I have some copyrights. What are they worth? I do not know. How can an assessor tell? What income they yield during any one year is a matter which I know well enough. How can an assessor find any evidence of the fact that I am the owner of a copyright? There is not one assessor in a thousand to whom it ever occurs that such a form of personal property exists.

If, however, I derive an income from my promissory note, and from my copyrights, it is altogether probable that I may give some evidence of the receipt of income. The style in which I live, the property I purchase, and a thousand and one acts give evidence of income. It is not asserted that it is always an easy thing to tell what income is; but it is incomparably easier than to discover intangible property. The facts just given are merely typical. Every business man can duplicate them. Anyone who is willing to accept the taxation of personal property as a just and proper mode of taxation, and at the same time object to an income tax on the ground that it is inquisitorial in nature, and that income can not be fairly assessed, must not be surprised if either his intelligence or his sincerity is called in question.

As I have said, there can be no excuse for tariff taxation from a revenue standpoint even, except the dire necessities of the state and the opportunity afforded thereby to tax luxuries. If there be any excuse for a tariff tax on necessities and family comforts at all, it is to be found in the protection theory. The fancied benefits of the protection theory furnish lifeblood to the tariff taxation system. Now, let us examine the protection theory, in as far as it touches this question, for a few moments. Protectionists themselves, Mr. Chairman, have deserted every line of defense which they have dug around their pet theory except one. The last ditch in which they now hide and from which they now shoot is the contention that protection raises wages of laborers in the countries which adopt the system.

A great deal has been said upon this subject, but I will read something from Prof. Ely's *Problems of To-day*, a book by the way, which I commend, not only upon this subject but upon a great many others, to the careful reading of the House:

But is American labor, after all, protected? Let us at once go to the heart of things. If I have anything to sell, it is conceivable that I may be helped in two ways by Government. To say that I want to sell a thing means simply that I want to get something else for it. I sell that I may buy. Money simply comes in as a medium. A farmer sells corn for money, and with that money buys shoes. Corn is really exchanged for shoes, and money is used as a medium merely to facilitate exchange. Now, if government in some way can increase the supply of those things which I wish to buy, I may be benefited. More will be offered me for what I have to sell. On the other hand, if Government can diminish the supply of the article I want to sell, I can get more for it, and I am benefited. How stands the case with the wage receiver? What has he to sell? The commodity, labor, and nothing else. With that commodity (labor) he must purchase all other things. Now, what is Government doing for him? Is Government rendering labor scarce and commodities plentiful? On the contrary, no duty is put on labor. Labor comes in free. Not only that; our protectionists are helping to increase the supply of labor and to keep its price down.

And right in that connection I will say that you never see any of these trade journals from Pennsylvania which do not tell you somewhere something about the estimated immigration into American ports in the near future, with a view to letting employers know how cheaply they can get labor.

But I will proceed to read:

Do not Federal consuls encourage emigration from Europe to America? Do not States and Territories send agents abroad to aid and abet foreign labor in its purpose to fill up the supply of labor in our own market? Do not the protectionist employers themselves keep their agents in every part of Europe to help swell the throng of those coming to our shores, and, in case of demand for higher wages, to take the place of the discontented? Strange! Yet it is all true! Every word of it, and the organs of the protectionists gloat over the increasing supply of labor in our markets. The commodity which the laborer has to sell is not protected. All that Government does is to help increase its supply and thus reduce its price.

But then it must be that Government is trying to increase the supply of those things which workmen want in exchange for their commodity, labor. God forbid! It is taxing them and rendering them scarce! It looks as if Government were working against labor, does not it? A funny world, isn't it?

Assuming that it is the duty of the Federal Government to aid labor by taxes, how should these taxes be laid? It is proposed to help labor to secure high wages, and it is therefore necessary to raise the price it commands by diminishing the supply. What can be simpler than the solution of the problem? Tax the commodity of labor by taxing every foreigner landing on our shores, and encourage, on the other hand, a plentiful importation of goods. This would necessarily alter the relation between supply of labor

and demand for labor, and supply of commodities and demand for commodities in the interest of labor.

I have read that, because it is better expressed than anything I have seen or heard upon that subject, although it is common learning. If these manufacturers were sincere about protecting labor by a tariff they would lay the duty on foreign labor seeking employment in our industries and thus prevent the pauper labor of Europe, by direct enactment, from competing for employment on American soil—at any rate—with our labor. They might as well at the same time tax returning tourists. Not because they are foreigners, but because "they would like to be;" not because they compete with American or any other sort of labor, for that matter, but on the Democratic theory that "dudes are luxuries." But, to be serious; as a matter of fact, the last thing in the world the manufacturer wants to see is "a duty on imported labor." He wants cheap labor, and the markets of the world are open for him to get it. Transportation across seas is now so cheap that it is no longer a protection or a bar.

I will now read from *Our National Revenues* an article by Carroll D. Wright, on page 200 of that little book. You all know who Carroll D. Wright is. He is not a partisan. He is a most elegant and upright gentleman and a conscientious and scientific statistician. He says:

It is claimed by ardent protectionists that protection is the sole cause, or, if they do not go that far, that it is the main cause of the advance of wages in America; while the free trader, on the other hand, claims that the advance of wages in Great Britain is due to her free-trade policy—while any careful investigation will show that there has been an advance in wages during the last fifty years in both countries, and that, so far as the manufacture of textiles is concerned, the advance has been nearly equal under the two great commercial systems. This one fact shows that the claim of each as to wages is entirely without foundation.

The whole truth about wages has been best and most tersely expressed in the familiar saying, "When two men are seeking one job, wages are low; when two jobs are seeking one man, wages are high."

To get to the bottom of the wage question, "the truth behind" the familiar saying quoted above, I will read from an article by Prof. John B. Clark on "The certainties of the tariff question."

Prof. John B. Clark says:

Wages are gauged in amount by the productiveness of industry. When land can be had for the asking, wages are what a man can get by cultivating it; and if the land is both fertile and accessible, wages are high. Manufacturers must pay enough to induce their men to keep out of agricultural life. They can afford to pay this amount if their business creates as large a product as could be created by the same expenditure of labor and capital upon the soil. If the product of business is smaller it can not survive. Natural selection insures, in a new country, the survival of the most productive industries.

High wages, caused by the great productiveness of labor applied to land, are the primary facts in the history of American industry.

A tariff that "protects" anything does so by taxing the productive industries in order to sustain the less productive. A protective duty on woolen goods does not enable a day's labor in a mill to create a particle more of cloth than it would have created before; but it causes a day's labor on the farm to purchase a smaller amount of cloth than it would otherwise have done. A tariff on manufactured articles lessens the economic product of agriculture; it gives a bushel of wheat a smaller purchasing power. As agricultural wages set the standard to which the returns of all labor conform, the protective duties lower that general standard. Labor in the mill must henceforth be paid at the rate that now prevails on the farm. That, however, is a reduced rate; protection has lessened the reward of labor even in the protected industry. It follows that protection necessarily inflicts an economic loss on the country that resorts to it, by diverting labor and capital from industries that create a real product to those that create a smaller one. It lessens general wages by lowering the standard to which they must conform. It makes the country poorer, and inflicts the loss largely on the poorer class within the country.

Mr. TALBERT of South Carolina. Mr. Chairman, I ask that the gentleman be allowed to proceed by unanimous consent until the conclusion of his remarks.

There was no objection.

Mr. WILLIAMS of Mississippi. I will state that I would not take advantage of this unanimous consent were it not for the fact that I know I happen to come last on the list of speakers this evening, and I shall not, therefore, inconvenience or delay any other speaker.

In other words, wages depend, like other things, upon the demand and supply of labor, and demand and supply of labor depend in the long run upon the remuneration of agriculture.

In that connection I will say this: You do not by your protective tariff protect the carpenter, the plasterer, the shoemaker, the plumber, the engineer, the clerk in the store, the brakeman or the fireman—they are not employed in protected industries—and yet they get more here than they do elsewhere in the world. Why?

Because the remuneration from agriculture is greater here than anywhere else in the world, and that is the test and touchstone of wages all over the world. Everywhere in this world the farmer who wants a pair of shoes made must pay somebody a sufficient sum to enable that somebody to stay out of agriculture while making the shoes—to leave the field and follow some other business.



This truth is well expressed also in an article from the pen of the Hon. Francis A. Walker, which I will read, after which I shall not read any more to the committee. I read it now because he expresses the idea better than I could. It is a platitude, however, of political science, disputed by nobody but Republicans and schoolboys:

Whenever the American farmer wants a pane of glass set, or a pair of boots mended, or a horse shod, he must pay someone, his neighbor, enough for doing the job to keep him in his trade and to keep him out of agriculture, in the face of the great advantages of tilling the soil, in New York or Ohio or Dakota, or wherever else the farmer in question may live; but how much he shall pay the man who makes the pane of glass or the pair of boots or the set of horseshoes will depend upon the advantages of tilling the soil not where he himself lives, but where the maker of the horseshoes, the boots, or the glass may live.

If he will have the work done he must pay someone, somewhere, enough to keep him in his trade and out of agriculture; but not necessarily out of New York agriculture or Ohio agriculture or Dakota agriculture; but perhaps out of English agriculture, or French agriculture or Norwegian agriculture, under the requirements of constant fertilization, deep plowing, and thorough drainage, and subject to that stringent necessity which economists express by the term "the law of diminishing returns."

Now, to offset and overcome the inducements to engage in agriculture even in Merry England is a different thing, a very different thing, from keeping a man in his trade and out of agriculture in the United States.

The American agriculturist having large quantities of grain and meat, of cotton and tobacco left on his hands, after providing ample subsistence for his family, and even after hiring the carpenter, mason, and blacksmith, the schoolmaster, lawyer, and doctor, for as much time as he requires their respective services, and still further after putting a good deal into farm implements and increase of stock, is desirous of obtaining with the remainder sundry articles more or less necessary to health, comfort, and decency. To him it makes no difference whether the articles he requires are made on one side of the Atlantic or on the other; but it makes a great difference what he is obliged to pay for them; how much of his surplus grain and meat, tobacco and cotton, must go to secure a certain definite satisfaction of his urgent and oft-recurring wants. If he must needs pay some one to stay out of American agriculture and do this work, his surplus will not go so far as if he were allowed to pay some one to stay out of English agriculture to do it.

But here the state enters and declares that it is socially or politically necessary that these articles, these nails, these horseshoes, this cotton or woolen cloth, or what not, shall be made on this side of the Atlantic. That necessity the agriculturist as consumer, can not be expected to feel; he does not care where the things were made; he only wants them to use. He does not care who makes them; he does not even care whether they are made at all; they would answer his purpose just as well were they the gratuitous gifts of nature, spontaneous fruits of the soil or the sea or the sky. Whatever his own economic theories may be, he will, as purchaser, every time select the cheapest article which will precisely answer his need. He will not, of his own motion, pay more for an article because it is made on his side of the Atlantic than he could get an equally good article for, bearing the brand of Sheffield or Birmingham or Manchester. But if the state says he must, he must; and consequently the American maker of this article is by force of law admitted to a participation in the abundance enjoyed by the American agricultural class. The tiller of the soil is now compelled, by the ordinance of the state, to share his bread and meat with the maker of nails or horseshoes, of cotton or of woolen cloth, just as he was before compelled by the ordinance of nature to share his bread and meat with the blacksmith, carpenter, and mason, the schoolmaster, lawyer, and doctor.

Now, if men want to protect labor by a tariff they must put a tariff on labor. That can be done very easily. But even admitting that a tariff upon manufactured commodities does secure higher wages in the protected industries—for the sake of the argument I am going to admit that it does—then the question becomes, after all, a question of industrial warfare between those who have capital and labor invested in the protected industries and those who are not engaged in them; which leaves all the rest of the community upon the latter side. Our statistics show that 5 per cent of the population of the United States are engaged in the protected industries.

It is therefore an industrial warfare between that 5 per cent of our people and all the rest of the community, an industrial warfare in which the protected classes are fighting for power to discriminate by taxation against the interests of all the rest—the buyers and consumers of the land; an industrial warfare in which they are fighting for the privilege of having somebody stand them up and hold them up and give them something to lean on, and in which the 95 per cent of the people on the other side are fighting for the poor boon of being permitted to stand up by themselves and to have nobody lean upon them except when they permit it by way of charity. It is a warfare between a set of paupers—for that is what they are, rich paupers—on one side paupers who threaten and demand, and upon the other side the 95 per cent of the people of America, who mildly expostulate and suggest, "Perhaps you might get along with a little less tribute." That is all the Wilson bill means. Even if the tariff does add to the wages in the protected industries, it can not increase the general fund from which the labor of the whole country is to be paid.

Legislation can not create wealth. That you can legislate money into the pockets of a particular individual or a particular class I freely admit; but in order to do that you must legislate it out of the pockets of some other individual or some other class. A nation can not lift itself up by the boot straps any more than a man can. Government is no independent entity. It has no independent revenue. Every dollar the Government has it must get from the people, and every dollar that the Government gives away it must first get before it can give it away, and it must tax

the people before it can get it. If it gives it not directly out of the Treasury, but by making the manufacturer its agent for the nonce to receive the tax directly from the consumer, it must still get the money out of the pockets of the people. The only difference is that it gets it through the manufacturer rather than through its own direct representatives.

The men from whom it takes, or, in plain English, the men robbed are the farmers, the farm laborers, and all the community except those engaged in protected industries.

But, Mr. Chairman, they tell us that the farmer, by means of this system, gets a home market! Infinite bosh! What difference does it make to me whether the man who buys my cotton lives at Cape Colony or Cape Cod; on the banks of Fall River or on the banks of the Mersey; where Oregon rolls and dashes or where Timbuctoo swelters and squats [laughter], unless one pays me a higher price than the other? The price of my cotton is regulated by the amount of cotton in all the world on the one hand, and by the number of people in all the world on the other hand who want cotton goods and have the money to pay for them. The place of their residence is not of the slightest importance, whether they live in the adjoining township or at the uttermost ends of the earth. The place where the purchaser lives cuts no more figure in the problem than the state of his religious opinion. I do not care whether he is an American or an Englishman, a Presbyterian, a Theosophist, or a Transcendentalist, always provided that he is not so transcendental as to forget to wear clothes. [Laughter.]

These tax-fattened paupers, the owners of the industries which can not stand alone, the industries which the charity of the nation (by their own claim at any rate, true or false) maintains and sustains, these men grown rich by taxing all consumers for their private benefit, have the unparalleled audacity to object to being themselves taxed for the public benefit. To an income tax they cry out, "class legislation!"

Mr. Chairman, Archbishop Whately defines orthodoxy to be "Our doxy," and heterodoxy to be "the other fellow's doxy." [Laughter.] "Class legislation," in the estimation of these gentlemen, is the other fellow's legislation. A bill like this income-tax bill, which exempts to every citizen of the United States, not to any one particular citizen or class, but to every citizen, \$4,000 of such income as he may have, they say is "class legislation!" To make me pay \$40 for a suit of clothes which, but for tariff legislation, I could buy for \$25 is not class legislation, but giving a uniform exemption of \$4,000 under the pending income-tax law is class legislation, and for what reason? Mark the answer. The infinite ridiculousness of it! The answer is, "Because some people are so unfortunate as not to have the \$4,000 which is exempt."

The exemption in the bill is not alone to the possessor of \$2,000, \$3,000, or \$4,000. It is also to him of \$10,000; him of \$50,000; him of \$100,000. Class legislation! Oh! Thou fool! If thou with thy \$20,000 per annum hast exempt to thee \$4,000, what right hast thou to complain that he, with \$3,000 yearly, has his all exempt? You say he pays no tax at all? The state is kinder to him than to you! On the contrary, it exempts for you \$4,000 and for him only \$3,000. If unjust to either it is unjust to him. But it is not unjust to him because less than this can the state demand of no man, viz, that he pay nothing. But really, all taxes considered, his clothes, his passage, his freight, the whole tariff on consumption considered, he pays more than you. You can not eat and wear six and two-thirds times as many tariff-taxed articles of consumption with your \$20,000 yearly as he can and does with his \$3,000 per year.

But they say this is an inquisitorial tax and "discloses business." Mr. Chairman, I want to say that in the State of Mississippi and most of the States of this Union there is a system of taxation where a man in business is required to make a return of the stock on hand, of the open accounts which he holds, of the amount of notes that could probably be collected; and there can not be in the assessment of an income tax any greater inquisition than this. There can not be any fuller "disclosure of business." In connection with the alleged inquisitorial feature of the tax, I will read to the committee the following from the pen of an economist of international reputation:

It is said to be inquisitorial. What tax is not? What tax is in fact less so? Does the tax on whisky and tobacco involve a less searching examination into private affairs? On the contrary, the manufacturers of tobacco and the whisky distiller must expose their every operation to inspection, and they are surrounded by spies. Those who try to evade the tax are frequently hunted down like wild beasts, and its collection is attended with bloodshed of taxpayer and taxcollector. Is the tariff less inquisitorial? On entering an American port you must open your trunk and exhibit all you have, and in case of suspicion, your very person is liable to be searched. Is the personal-property tax less inquisitorial? By no means. The income tax asks one question, while the personal-property tax, if really enforced, demands every item of personal property, and involves an exposure of all assets and liabilities. Anything more inquisitorial can not be conceived.

But, Mr. Chairman, the opponents of the income tax say that



it is an undue temptation to evasion by fraud; that taxpayers will seek to avoid the tax by perjury. That is an objection to all taxation. I will give you a few facts as to the amount of fraud that has been and is being daily committed by those who seek to avoid the payment of the personal-property tax in New York, Ohio, and other States. The fraud and perjury indulged in by these tax dodgers in the large cities in giving in their personalty, notes, bonds, and choses in action, is simply appalling. They have sworn to so many lies and are so deeply damned already that they can not be sent much lower. I will show that the personal property in the State of New York, one of the most rapidly progressive of the States in the accumulation of wealth, has according to the swearing of the rich citizens of that State, absolutely fallen off in the last ten years. But let us see about Ohio first. The governor of Ohio in his "special message" of April 6, 1887, says:

In connection with the recent refunding of our State debt it was disclosed that some of the most prominent and highly respected men of our State held large amounts of these bonds, without having ever paid a dollar of tax on the same, or without having ever reported them for taxation. The only excuse given for this was that bonds were supposed to be nontaxable; but it is difficult to be patient with such a claim, when it is advanced by men of intelligence, familiar with our constitution and its requirements that all bonds, etc., shall be taxed.

I find from that same message that the value for taxation of personal property in Ohio for the year 1883 was \$542,207,121. In 1884 it shrunk to \$528,298,871, and in 1885 to \$509,913,986. Everyone acquainted with the condition of things in Ohio must be aware of the fact that instead of decreasing, the personal wealth of the citizens of that State has increased immensely from year to year.

The New York assessors, in their report for 1881, speaking of personal property outside of "banking capital," say:

It is quite evident that it is assessed at an average of less than 10 per cent.

In other words, 90 per cent of it escapes taxation. The governor of that State, in his message the same year, says that in 1869 real estate contributed 78 per cent of the public revenue and personal property only 22 per cent, while in 1879 real estate paid 87.8 per cent and personal property only 12.2 per cent of the whole tax.

I find that the decrease in the assessed valuation of personalty from 1878 to 1880 amounted, in round numbers, to \$30,000,000, and that there was a decreased valuation in 1882 alone of \$36,000,000. This, too, when it was asserted by the assessors and the governor and apparently acknowledged by all men that the assessable personal property in the State equals, if it does not exceed, the real value of real estate, and yields as much, if not more, profit to the owners. There can be no doubt about the fact that wealth in the shape of personal property augments immensely in the State of New York from year to year.

Governor Hill, of New York, in his message of 1886 discloses some startling things, among others the following:

Assessed valuation of personal property in 1875 was .....	\$407,427,339
Assessed valuation in 1885 was .....	332,383,329

Decrease in 10 years .....	75,044,160
In 1885 the assessed value of real estate was .....	2,762,348,218
Assessed valuation of personal property in 1884 was .....	345,418,361
Assessed value in 1885 was .....	332,383,329

Decrease in one year .....	13,035,122
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In 1880 in New York, embracing the city wherein is concentrated and owned the bulk of the wealth of the nation, personalty paid 14 per cent of the tax, and in 1884 only 11.47 per cent of the total tax.

But they say that a tax on incomes is a tax on superior thrift and ability. Are you quite sure about that? Perhaps it is sometimes superior opportunity, superior environment, superior cold, heartedness, better luck. Some of the greatest fools that I have ever known are money-getters and money-savers. But I am willing to admit that as a rule a man's prosperity does depend upon his thrift, on his knowledge, his industry, and his temperance as well as his opportunity; but is not your thrift and ability specially protected by the laws and civilization under which you live? Are not the very opportunities given to thrift, ability, and self-control under these laws and that civilization fair subjects of taxation? It is civilization capitalized.

Ought not you to thank God that you are able to pay more tax than your poor neighbor, and with equal or less sacrifice than he? I am thankful that it is my condition, and I am not disposed to quarrel because somebody else has not the amount exempt under this bill. That all men ought to pay to the State in proportion to their abilities is, I take it, simply infusing into our system of taxation some of the spirit of Democracy and of Christianity. [Applause.]

[Here the hammer fell.]

Mr. TALBERT of South Carolina. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. BROOKSHIRE having resumed the chair as Speaker *pro tempore*, Mr. LANE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes, had come to no resolution thereon.

Mr. MCDANNOLD. I move that the House do now adjourn. The motion was agreed to.

And accordingly (at 10 o'clock and 17 minutes p. m.) the House adjourned until 11 o'clock a. m., to-morrow.

## PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced, and severally referred as follows:

By Mr. LOUD: A bill (H. R. 5507) to provide for licenses to certain officers of steam vessels—to the Committee on Interstate and Foreign Commerce.

By Mr. TERRY (by request): A bill (H. R. 5508) for the better regulation of insurance companies doing business in the Indian Territory—to the Committee on the Judiciary.

By Mr. RUSK (by request): A bill (H. R. 5509) providing for the reconstruction of the Aqueduct bridge—to the Committee on Appropriations.

By Mr. MAGUIRE: A bill (H. R. 5510) to increase the revenue by a direct tax on land values in the United States, and for other purposes—to the Committee on Ways and Means.

By Mr. HEARD (by request): A bill (H. R. 5511) to amend an act entitled "An act for the further protection of property from fire and the safety of lives in the District of Columbia"—to the Committee on the District of Columbia.

By Mr. BOATNER: A bill (H. R. 5528) to provide for the existing deficiency of the public revenues to meet the current expenses of the Government and to authorize the issue of United States notes to the extent of \$100,000,000, and for other purposes—to the Committee on Ways and Means.

By Mr. DOCKERY: A bill (H. R. 5529) to repeal section 311 of the Revised Statutes of the United States—to the Joint Commission of Congress to Inquire into the Status of Laws Organizing the Executive Departments.

By Mr. FLYNN: A resolution calling on the Secretary of the Interior for certain information regarding the lease of certain land in the Cherokee Strip—to the Committee on Indian Affairs.

By Mr. MCRAE: A resolution for the consideration of the bill (H. R. 118) to finally adjust the swamp-land grants, and for other purposes—to the Committee on the Public Lands.

By Mr. BELL of Colorado: A memorial of the General Assembly of the State of Colorado, demanding the free and unlimited coinage of silver—to the Committee on Coinage, Weights, and Measures.

## PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BRICKNER: A bill (H. R. 5512) to reimburse The C. Reiss Coal Company for dredging done in Sheboygan Harbor, Wisconsin—to the Committee on Rivers and Harbors.

By Mr. FITHIAN: A bill (H. R. 5513) granting pension to Henry H. Grieves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5514) granting a pension to William McCoy—to the Committee on Invalid Pensions.

By Mr. HAYES: a bill (H. R. 5515) granting a pension to Nancy G. Allabach—to the Committee on Invalid Pensions.

By Mr. HINES: A bill (H. R. 5516) for the relief of Owen Lee, late private of Company B, Tenth Regiment New Hampshire Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5517) for the relief of Abram G. Hoyt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5518) for the relief of Francis J. Conlan, late private of Light Battery G, Fifth United States Artillery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5519) for the relief of Spencer D. Hunt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5520) granting a pension to Clara R. Rodgers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5521) for the relief of James Wilcox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5522) for the relief of Thomas Montgomery—to the Committee on Military Affairs.



Also, a bill (H. R. 5523) to amend the military record of John W. Marcy, late second lieutenant Company G, Fifty-second Pennsylvania Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 5524) for the relief of William Hancock, administrator—to the Committee on War Claims.

By Mr. MCCREARY of Kentucky: A bill (H. R. 5525) authorizing John E. Johnson and others to accept medals of honor and diplomas from the Government of Spain—to the Committee on Foreign Affairs.

By Mr. PHILLIPS: A bill (H. R. 5526) granting a pension to Regina O'Brien and Elizabeth O'Brien, daughters of Edward O'Brien, deceased, etc.—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois (by request): A bill (H. R. 5527) to authorize and direct the Secretary of War to investigate the claim of James and Emma S. Cameron, made for occupation and damage to property and for fuel taken and used by the United States Army during the war—to the Committee on War Claims.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAKER of New Hampshire: Petition of Hon. George H. Ramsdell and 121 others, of Nashua, N. H., protesting against the passage of the Wilson bill—to the Committee on Ways and Means.

By Mr. BOUTELLE: Protest of the employés of various industries in the State of Maine against the passage of the Wilson tariff bill—to the Committee on Ways and Means.

Also, protest of the granite-workers of the State of Maine against the enactment of that section of the proposed Wilson bill which places undressed granite upon the free list—to the Committee on Ways and Means.

By Mr. BOWERS of California: Petition from Tulare County, Cal., asking Congress to purchase lands heretofore patented to citizens in Sequoia Park, California, or allow owners to use and enjoy the property—to the Committee on Public Buildings and Grounds.

By Mr. CHILDS: Protest of citizens of Morehead, Ky., against any lowering of the tariff on lumber—to the Committee on Ways and Means.

Also, petition of citizens of Olive Hill, Ky., protesting against any lowering of the tariff on lumber—to the Committee on Ways and Means.

Also, petition of citizens of Grayson, Carter County, Ky., against any lowering of tariff on lumber—to the Committee on Ways and Means.

Also, petition of citizens of Willow, Carter County, Ky., against any reduction of tariff on coal and lumber—to the Committee on Ways and Means.

Also, petition of 7 citizens of Leland, Ill., against the repeal of the McKinley act—to the Committee on Ways and Means.

Also, petition of 87 carpet institutions, protesting against the proposed reduction of tariff upon their manufactures and asking the same treatment as other woolen goods embodied in Schedule K—to the Committee on Ways and Means.

Also, protest of 65 makers of gold and other metal leaf, against the reduction of the tariff on their manufacturers—to the Committee on Ways and Means.

Also, petition of 72 citizens of Streator, Ill., protesting against the passage of the Wilson bill—to the Committee on Ways and Means.

Also, protest of 66 glass-bottle makers, of Ottawa, Ill., against a reduction in the tariff on their products on a change from a specific tax to ad valorem—to the Committee on Ways and Means.

By Mr. CUMMINGS: Petition of Capt. H. F. Picking, Garrison No. 8, Army and Navy Union of the United States of America, in favor of the passage of an act to amend the act of February 14, 1885, relative to the retirement of enlisted men of the United States Army, Navy, and Marine Corps—to the Committee on Naval Affairs.

Also, papers proposing an amendment to the Wilson bill, relating to musical instruments—to the Committee on Ways and Means.

By Mr. CURTIS of New York: Petition of Anson J. Larkin and 35 others, of South Ballston, Saratoga County, N. Y., asking for the passage of the bill introduced in the Senate by Senator HILL, of New York, for the regulation of the traffic in oleomargarine—to the Committee on Agriculture.

By Mr. DOCKERY: Petition of citizens of Ray County, Mo., to admit as second-class matter periodical publications issued by or under the auspices of benevolent and fraternal societies—to the Committee on the Post-Office and Post-Roads.

By Mr. FITHIAN: Two petitions of citizens of Crawford and Coles Counties, Ill., to accompany bill for the relief of Henry H. Grieves—to the Committee on Invalid Pensions.

Also, petition of citizens of Mount Carmel, Ill., praying that the journals of fraternal societies and colleges be admitted to the mails as second-class matter—to the Committee on the Post-Office and Post-Roads.

By Mr. GILLET of New York: Petition of 86 citizens of Elmira, N. Y., that the journals of fraternal societies and colleges be admitted to the mails as second-class matter—to the Committee on Ways and Means.

By Mr. GORMAN: Papers to accompany House bill 3275 for the relief of the owners of the schooner Henry R. Tilton and of personal effects thereon—to the Committee on Military Affairs.

By Mr. GROUT: Memorial of Dan Talmage's Sons of New York, in opposition to the tariff on rice, Schedule G, No. 192—to the Committee on Ways and Means.

Also, memorial of W. B. Fonda, of St. Albans, Vt., and W. I. Harwood, of Swanton, Vt., against the passage of the Wilson tariff bill—to the Committee on Ways and Means.

Also, resolutions adopted by the Trades League of Philadelphia, Pa., in behalf of the postmasters in the ten large cities—to the Committee on the Post-Office and Post-Roads.

By Mr. HAGER: Petition of William Barnholdt, of Missouri Valley, Iowa, against the passage of the Wilson bill—to the Committee on Ways and Means.

By Mr. HARMER: Petition of citizens of New York City, for the removal of the duty on books printed in the English language—to the Committee on Ways and Means.

By Mr. HARTMAN: Protest of P. H. Poindexter and 49 others, of Beaverhead County, Mont., against the Wilson bill—to the Committee on Ways and Means.

By Mr. HERMANN: Petition of the Federated Trade and Typographical Union, of Portland, Oregon, for Government control of telegraph—to the Committee on the Post-Office and Post-Roads.

Also, memorial of Chamber of Commerce of Astoria, Oregon, for legislation as to immediate transportation of dutiable goods—to the Committee on Ways and Means.

Also, resolution of Chamber of Commerce of Astoria, Oregon, for quarantine station on the Columbia River in Oregon—to the Committee on Interstate and Foreign Commerce.

By Mr. HILBORN: Petition of manufacturers of vermicelli, macaroni, and Italian paste on the Pacific coast, asking that the duties on these articles may not be reduced—to the Committee on Ways and Means.

Also, memorial of the fruit-growers of California, against any reduction of duties on fruits, fruit products, olive oil, etc.—to the Committee on Ways and Means.

Also, resolutions of Cigarmakers' International Union, of San Francisco, against increase of tax on cigars—to the Committee on Ways and Means.

By Mr. HINES: Petition of 18 citizens of Olivers Mills, Pa., asking for the defeat of the Wilson bill—to the Committee on Ways and Means.

By Mr. HITT: Memorial and resolution of citizens of Grayson, Carter County, Ky., at a meeting held January 16, 1894, protesting against the coal and lumber provisions in the Wilson bill—to the Committee on Ways and Means.

Also, memorial and protest of lumbermen and citizens at a meeting held at Olive Hill, Carter County, Ky., January 17, protesting against the lumber provisions in the Wilson bill—to the Committee on Ways and Means.

Also, memorial and resolution passed at a public meeting January 15, at Willard, Carter County, Ky., protesting against the coal and lumber provisions of the Wilson bill—to the Committee on Ways and Means.

Also, memorial and resolutions of lumbermen adopted January 11, at meeting at Morehead, Rowan County, Ky., protesting against the Wilson bill—to the Committee on Ways and Means.

By Mr. HULL: Petition of B. F. Rehkooff and 60 others, citizens of Des Moines, Iowa, asking the passage of the Manderson-Hainer bill on fraternal societies and college journals—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Capital Lodge, No. 14, Ancient Order of United Workmen, of Des Moines, Iowa, asking that present postage rates on newspapers be extended to the fraternal press—to the Committee on the Post-Office and Post-Roads.

Also, petition of P. H. Ream and 17 others, members of Ersland Post, Grand Army of the Republic, Cambridge, Iowa, asking the enactment of a just and equitable service pension law—to the Committee on Invalid Pensions.

Also, petition of P. H. Ream and 17 others, members of the Ersland Post, Grand Army of the Republic, Cambridge, Iowa,



asking the restoration of suspended pensions, and that none hereafter be suspended except on proof of fraud—to the Committee on Invalid Pensions.

By Mr. JOSEPH: Petition of citizens of Cuba, N. Mex., praying Congress not to put wool on the free list—to the Committee on Ways and Means.

By Mr. KRIBBS: Petition of William A. Hagerty and others, of Clearfield, Pa., for the immediate passage of the Wilson tariff bill—to the Committee on Ways and Means.

By Mr. LACEY: Petition of C. P. Newell and many others, of Agency, Wapello County, Iowa, against the passage of the Wilson bill granting free trade to wool—to the Committee on Ways and Means.

By Mr. LAYTON: Petition of W. B. Forsyth and 169 other citizens of Sidney, Ohio, praying for postal laws in the interest of fraternal, society, and college journals—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Cleveland Medical Society, of Cleveland, Ohio, for a bureau of public health in the United States Treasury Department—to the Committee on Revision of the Laws.

By Mr. LOUD: Paper from James Carroll, master of steam vessels of San Francisco, Cal., relating to bill to provide for licenses to certain officers of steam vessels—to the Committee on Interstate and Foreign Commerce.

Also, petition of employes of Golden Gate Woolen Manufacturing Company, San Francisco, Cal., against the passage of the Wilson bill—to the Committee on Ways and Means.

By Mr. McCALL: Petition of Washington Council No. 9, Home Circle, of Somerville, Mass., in favor of the passage of Senate bill 1353 or House bill 4897, for the reduction of the rates of postage of the periodical publications of benevolent and fraternal societies and of college journals—to the Committee on the Post-Office and Post-Roads.

Also, petition of W. R. Scott and 34 other residents of Somerville, Mass., for the passage of Senate bill 1353 or House bill 4897 for the reduction of the rate of postage of the periodical publications of benevolent or fraternal societies and of college journals—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Boston (Mass.) Art Club in favor of the free-art clause of the Wilson bill—to the Committee on Ways and Means.

By Mr. McNAGNY: Protest of L. A. Hendry and others, of Angola, Ind., against the passage of the Wilson bill—to the Committee on Ways and Means.

By Mr. MEIKLEJOHN: Petitions from citizens of Grayson and Willard, both of Carter County, Ky., against the reduction of duty on lumber and coal—to the Committee on Ways and Means.

By Mr. MEREDITH: Papers on claim of William Grubb, of Loudoun County, Va.—to the Committee on War Claims.

By Mr. MORSE: Petition of the Boston Chamber of Commerce, asking for an additional lighthouse in Boston harbor—to the Committee on Interstate and Foreign Commerce.

Also, petition by the Boston Chamber of Commerce, praying for a change in the way the United States consular system is conducted, so that it shall stand on merit and permanency—to the Committee on Foreign Affairs.

By Mr. O'NEIL: Petition of underwriters, merchants, and others, of Boston, in favor of a lightship and range lights in Boston harbor—to the Committee on Interstate and Foreign Commerce.

Also, petition of owners and masters of vessels, in favor of a light-ship and range lights in Boston harbor—to the Committee on Interstate and Foreign Commerce.

By Mr. PAYNE: Two petitions for passage of bill to prevent sale of imitation butter, etc.—to the Committee on Agriculture.

Also, petition of 70 employes of Melwair & Co., of New York, praying for ad valorem duty of 80 percent on ready-made clothing and wearing apparel—to the Committee on Ways and Means.

Also, protest of 87 carpet manufacturers of the United States, against Schedule K of Wilson bill in its reference to carpet—to the Committee on Ways and Means.

Also, petition of 9 residents of Sennett, N. Y., for passage of the Manderson-Hainer bill to settle the question of classification of college journals—to the Committee on the Post-Office and Post-Roads.

By Mr. PHILLIPS: Five hundred and seven separately written and individual protests of citizens of the Twenty-fifth district of Pennsylvania, against the Wilson bill—to the Committee on Ways and Means.

Also, remonstrance of 63 citizens of the Twenty-fifth district of Pennsylvania, against putting wool on the free list—to the Committee on Ways and Means.

Also, remonstrance of 20 citizens of Saxonburg, Butler County, Pa., against putting wool on the free list—to the Committee on Ways and Means.

Also, six separately written and individual communications favoring the passage of the Wilson bill—to the Committee on Ways and Means.

By Mr. POST: Petition of John C. Streibich, of Peoria, Ill., against a tax of more than 1 cent per pack on playing cards—to the Committee on Ways and Means.

Also, petition of Singer & Wheeler and Colburn, Birks & Co., of Peoria, Ill., against a tax of more than 1 cent per pack on playing cards—to the Committee on Ways and Means.

Also, petition of committee of Cigar Makers' Union, Peoria, Ill., in opposition to an increase of internal-revenue tax on cigars—to the Committee on Ways and Means.

Also, petition of New York Consolidated Card Company, in favor of a tax of 5 cents per pack on playing cards—to the Committee on Ways and Means.

By Mr. RANDALL: Resolutions adopted by the Cotton Weavers' Protective Union, New Bedford, Mass., in favor of Government control of telegraph lines—to the Committee on the Post-Office and Post-Roads.

By Mr. RAYNER: Petition of citizens of Baltimore, Md., asking that fraternal societies' and college journals be admitted as second-class matter—to the Committee on the Post-Office and Post-Roads.

By Mr. RUSK: Petition of artists, architects, etc., of Baltimore, Md., indorsing the Wilson bill—to the Committee on Ways and Means.

By Mr. RUSSELL: Petition of citizens of Stonington, Conn., in favor of admitting to mails as second-class matter periodicals issued by benevolent and fraternal societies and institutions of learning—to the Committee on the Post-Office and Post-Roads.

By Mr. SCRANTON: Protest of the American Lactos Company, William E. Smith (New York), president, against the reduction of tariff on milk sugar—to the Committee on Ways and Means.

Also, protest of William Vogt and others, of Louisville, Ky., against the reduction of tariff on mirrors—to the Committee on Ways and Means.

Also, protest of the American Rattan and Reed Manufacturing Company, Brooklyn, N. Y., against placing chair cane and reeds on free list—to the Committee on Ways and Means.

Also, protest of Browning, King & Co. and other firms of New York, against tariff reduction on clothing—to the Committee on Ways and Means.

By Mr. WILLIAM A. STONE: Petition of 1,300 citizens of Western Pennsylvania, for passage of the law restricting immigration—to the Committee on the Judiciary.

By Mr. WANGER: Memorials of Edward Bostock and 51 other window-glass workers and others, of Norristown, Pa., protesting against the passage of the Wilson bill—to the Committee on Ways and Means.

By Mr. WEVER: Petition of 80 citizens of Bangor, N. Y., against the passage of the Wilson bill—to the Committee on Ways and Means.

Also, petition of 156 citizens and residents of Whitehall, N. Y., against the passage of the Wilson bill—to the Committee on Ways and Means.

Also, petition of 30 citizens of Bangor, N. Y., against the passage of the Wilson bill—to the Committee on Ways and Means.

Also, petition of 121 citizens and residents of Fort Ann, N. Y., against the Wilson bill—to the Committee on Ways and Means.

Also, petition of 40 employes of Ticonderoga Paper Company, New York, against the passage of the Wilson bill—to the Committee on Ways and Means.

Also, petition of 50 stockholders and employes of the Essex Horse Nail Company, against the passage of the Wilson bill—to the Committee on Ways and Means.

By Mr. WILSON of West Virginia: Petition of J. C. Johnson and others, of Bridgeport, W. Va., for free wool—to the Committee on Ways and Means.

Also, petition of F. E. Thompson and 58 others, of Davis, W. Va., against free lumber—to the Committee on Ways and Means.

Also, petition of Jacob Phillips and 162 others, of Elk Garden, W. Va., against putting coal on the free list—to the Committee on Ways and Means.

Also, petition of W. H. Dasher and 52 others, citizens of Tucker County, W. Va., against free lumber—to the Committee on Ways and Means.

Also, J. T. Laughlin and 131 others, of Mineral County, W. Va., against removal of duty on coal—to the Committee on Ways and Means.

Also, resolutions of the Jefferson Society of Democratic Voters, of Brooklyn, N. Y., in favor of the Wilson bill and against the income tax—to the Committee on Ways and Means.